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PENNSYLVANIA BULLETIN

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The Courts
Delaware River Basin Commission
Department of Banking
Department of Environmental Protection
Department of General Services
Department of Health
Department of Revenue
Department of Transportation
Environmental Hearing Board
Executive Board
Fish and Boat Commission
Game Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
Port of Pittsburgh Commission
State Board of Vocational Rehabilitation

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 301, December 1999

PENNSYLVANIA



BULLETIN

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Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

Bulletin before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

[234 PA. CODE CH. 1100]

Order Adopting Amendments to Rule 1114; No. 257; Criminal Procedural Rules Doc. No. 2

The Criminal Procedural Rules Committee has prepared a Final Report explaining the November 18, 1999 amendments to Rule 1114 (Material Permitted in Possession of the Jury). These amendments make it clear that the trial court is prohibited from providing written jury instructions to the jury for use during deliberations. The Final Report follows the Court's Order.

Order

Per Curiam:

Now, this 18th day of November, 1999, upon the recommendation of the Criminal Procedural Rules Committee; this proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3), and a Final Report to be published with this Order:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa.R.Crim.P. 1114 is hereby amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 2000.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 1100. TRIAL

Rule 1114. Material permitted in possession of the jury.

[1.] (A) Upon retiring, the jury may take with it such exhibits as the trial judge deems proper, except as provided in paragraph [2] (B).

[2.] (B) During deliberations, the jury shall not be permitted to have:

- (1) a transcript of any trial testimony [, nor];
- (2) a copy of any written or otherwise recorded confession by the defendant [, nor];
- (3) a copy of the information [.]; or
- (4) written jury instructions.

Official Note: Adopted January 24, 1968, effective August 1, 1968; amended [, and second paragraph of Comment and the words "or information" added] June 28, 1974, effective September 1, 1974; Comment revised August 12, 1993, effective September 1, 1993; amended January 16, 1996, effective July 1, 1996; **amended November 18, 1999, effective January 1, 2000.**

Comment

This rule prohibits the jury from receiving a copy of the indictment or information during its deliberations. The rule also prohibits the jury from taking into the jury room

any written or otherwise recorded confession of the defendant. In *Commonwealth v. Pitts*, 301 A.2d 646, 650 n. 1 (Pa. 1973), the Court noted that "it would be a better procedure not to allow exhibits into the jury room which would require expert interpretation." [See *Commonwealth v. Oleynik*, 568 A.2d 1238 (Pa. 1990), in which the Supreme Court held that it was improper to permit a jury to take written jury instructions with them for use during deliberations.]

The 1999 amendment to paragraph (B) makes it clear that the trial court is prohibited from sending written jury instructions with a jury for use during deliberations. See *Commonwealth v. Karaffa*, 709 A.2d 887 (Pa. 1998), in which the Court held it was reversible error to submit written jury instructions to the jury.

The 1996 amendment adding "or otherwise recorded" in paragraph (B)(2) is not intended to enlarge or modify what constitutes a confession under this rule. Rather, the amendment is only intended to recognize that a confession can be recorded in a variety of ways. See *Commonwealth v. Foster*, 624 A.2d 144 (Pa. Super. 1993).

Although most references to indictments and indicting grand juries were deleted from these rules in 1993 because the indicting grand jury was abolished in all counties, see PA. CONST. art. I, § 10 and 42 Pa.C.S. § 8931(b), the reference was retained in this rule because there may be some cases still pending that were instituted prior to the abolition of the indicting grand jury.

[The amendment adding "or otherwise recorded" is not intended to enlarge or modify what constitutes a confession under this rule. Rather, the amendment is only intended to recognize that a confession can be recorded in a variety of ways. See *Commonwealth v. Foster*, 624 A.2d 144 (Pa. Super. 1993).]

Committee Explanatory Reports:

Report explaining the August 12, 1993 Comment revision published at 22 Pa.B. 3826 (July 25, 1992).

Final Report explaining the January 16, 1996 amendments published with the Court's Order at 26 Pa.B. 439 (February 3, 1996).

Final Report explaining the changes to paragraph (B) and the Comment prohibiting written jury instructions going to the jury published with the Court's Order at 29 Pa.B. 6102 (December 4, 1999).

FINAL REPORT¹

Amendments to Pa.R.Crim.P. 1114

Material Not Permitted in Possession
of the Jury During Deliberations

On November 18, 1999, effective January 1, 2000, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Rule 1114 (Material Permitted in Possession of the Jury). The amendments make it clear that the trial court is prohibited from providing written jury instructions to the jury for use during deliberations.

¹ The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

Following the Court's decision in *Commonwealth v. Karaffa*, 709 A.2d 887, 888 (Pa. 1998), making it clear that "the submission of written jury instructions constitutes reversible error in this Commonwealth," the Committee reviewed Rule 1114 and jury instruction procedures in other jurisdictions. From our review, we concluded that, notwithstanding the Court's 1990 decision in *Commonwealth v. Oleynik*, 568 A.2d 1238 (Pa. 1990), and the subsequent addition of a citation to *Oleynik* in the Rule 1114 Comment, there continues to be confusion concerning the prohibition on submitting written jury instructions to the jury for use during deliberations. In view of this, the Committee agreed that the text of Rule 1114 should be amended to reflect the current state of the law in Pennsylvania and more clearly advise members of the bench and bar with regard to jury instructions. Accordingly, new paragraph (B)(4) adds written jury instructions to the list of materials the jury is not permitted to have during deliberations. In addition, the Comment has been revised by deleting the citation to *Oleynik* and adding a citation to *Karaffa* and has been reorganized.

[Pa.B. Doc. No. 99-2035. Filed for public inspection December 3, 1999, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Civil Trial Division; Commerce Case Management Program; Administrative Docket 01 of 1999

And Now, this 9th day of November, 1999, it is hereby Ordered and Decreed that the following protocols shall apply to all civil cases within the Commerce Case Management Program on or after January 1, 2000:

Commerce Case Management Program: Procedure for Disposition of Commerce Program Cases Filed on and after January 1, 2000

A Commerce Case Management Program ("Commerce Program") is hereby established within the Trial Division of the Court of Common Pleas.

A. Organization

1. *Judges.* Initially, two judges shall be assigned by the Administrative Judge to the Commerce Program. The number of Commerce Program Judges may thereafter be adjusted by the Administrative Judge consistent with the caseload of the Program.

2. *Filings & Listings.* Upon consultation with the Administrative Judge and the Commerce Program Judges, with the goal of ease of access by the Commerce Program Judges and their staff, the parties and the public, the Prothonotary shall establish procedures for maintenance of filings and listings in actions assigned to the Commerce Program.

B. Assignment of Cases Subject to Commerce Program

1. *Cases Subject to Commerce Program.* Notwithstanding anything to the contrary in General Court Regulation 95-2 (Day Forward Program) or any other General Court Regulation, Jury, Non-Jury & Equity, and Class Action cases (boxes 6, 7, 8 on the Civil Cover Sheet) filed on or

after January 1, 2000, but not Arbitration cases (box 5 on the Civil Cover Sheet), shall be assigned to the Commerce Program if they are among the following types of actions:

1. Actions relating to the internal affairs or governance, dissolution or liquidation, rights or obligations between or among owners (shareholders, partners, members), or liability or indemnity of managers (officers, directors, managers, trustees, or members or partners functioning as managers) of business corporations, partnerships, limited partnerships, limited liability companies or partnerships, professional associations, business trusts, joint ventures or other business enterprises, including but not limited to any actions involving interpretation of the rights or obligations under the organic law (e.g., Pa. Business Corporation Law), articles of incorporation, bylaws or agreements governing such enterprises;

2. Disputes between or among two or more business enterprises relating to transactions, business relationships or contracts between or among the business enterprises. Examples of such transactions, relationships and contracts include:

- a. Uniform Commercial Code transactions;
- b. Purchases or sales of businesses or the assets of businesses;
- c. Sales of goods or services by or to business enterprises;
- d. Non-consumer bank or brokerage accounts, including loan, deposit cash management and investment accounts;
- e. Surety bonds;
- f. Purchases or sales or leases of, or security interests in, commercial, real or personal property; and
- g. Franchisor/franchisee relationships.

3. Actions relating to trade secret or non-compete agreements;

4. "Business torts," such as claims of unfair competition, or interference with contractual relations or prospective contractual relations;

5. Actions relating to intellectual property disputes;

6. Actions relating to securities, or relating to or arising under the Pennsylvania Securities Act;

7. Derivative actions and class actions based on claims otherwise falling within these ten types, and consumer class actions other than personal injury and products liability claims;

8. Actions relating to corporate trust affairs;

9. Declaratory judgment actions brought by insurers, and coverage dispute and bad faith claims brought by insureds, where the dispute arises from a business or commercial insurance policy, such as a Commercial General Liability policy, and;

10. Third-party indemnification claims against insurance companies where the subject insurance policy is a business or commercial policy and where the underlying dispute would otherwise be assigned to the Commerce Program, not including claims where the underlying dispute is principally a personal injury claim.

All of the above types of actions may involve individuals named as parties, in addition to business enterprises, so long as all other criteria are met and the essential nature of the litigation is a business dispute. For example, a dispute over a commercial loan may include

individual guarantors as either plaintiffs or defendants, as the case may be, but such a lawsuit would still be a commercial dispute.

2. *Cases Not Subject to the Commerce Program.* The following types of matters are not to be included in the Commerce Program:

1. Matters subject to Compulsory Arbitration in this Court or to the jurisdiction of the Municipal Court, including any appeals.

2. Personal injury, survival or wrongful death matters.

3. Individual (non-class) consumer claims against businesses or insurers, including products liability and personal injury cases.

4. Matters involving occupational health or safety.

5. Environmental claims not involved in the sale or disposition of a business and other than those addressed in Commerce Program types 9 or 10 above.

6. Matters in eminent domain.

7. Malpractice claims, other than those brought by business enterprises against attorneys, or accountants, architects or other professionals in connection with the rendering of professional services to the business enterprise.

8. Employment law cases, other than those referenced in Commerce Program type 3 above.

9. Administrative agency, tax, zoning and other appeals.

10. Petition Actions in the nature of Change of Name, Mental Health Act Petitions, Petitions to Appoint an Arbitrator, Government Election Matters, Leave to Issue Subpoena, Compel Medical Examination.

11. Individual residential real estate and non-commercial landlord-tenant disputes.

12. Domestic relations matters, and actions relating to distribution of marital property, custody or support.

13. Any matter required by statute, including 20 Pa.C.S. Chapter 7, §§ 711 & 713, to be heard in the Orphans' Court or Family Court Division of the Philadelphia Court of Common Pleas, or other matter which has heretofore been within the jurisdiction of the Orphans' Court or Family Court Division of this Court.

14. Any criminal matter other than criminal contempt in connection with a Commerce Program action.

15. Such other matters as the Court shall determine.

3. *Assignments Based on the Civil Cover Sheet.* The Civil Cover Sheet, effective January 1, 2000, shall include a box in which the attorney signing the sheet must certify that the action is, or is not, subject to the Commerce Program. A "Commerce Program Addendum to Civil Cover Sheet," a sample of which is attached as Exhibit "A," is hereby required to be filed with all initial filings (i.e., all filings requiring a Civil Cover Sheet) subject to the Commerce Program, filed on or after January 1, 2000. The attorney shall indicate on the Commerce Program Addendum filed with any filing denoted as a Commerce Program matter, the applicable type or types of action which result in the matter being assigned to the Commerce Program. An attorney's signature on the Civil Cover Sheet shall constitute certification that the matter is or is not subject to the Commerce Program, as indicated on the Civil Cover Sheet and Addendum. A copy

of the Civil Cover Sheet, including any Commerce Program Addendum, shall be served with the original process served on all parties.

All actions designated into the Commerce Program pursuant to the Commerce Program Addendum are hereby assigned to the Commerce Program and to the individual calendar of one of the Commerce Program Judges, who shall be assigned according to a random procedure established by the Administrative Judge. This assignment shall be noted on the Docket. All further filings in the matter shall state prominently in the caption and on any cover sheets that the matter is "ASSIGNED TO COMMERCE PROGRAM."

4. *Disputes Arising From the Civil Cover Sheet Designation.* If any party disagrees with the designation or lack of designation of a case into the Commerce Program, that party shall file with Civil Listings Room 296 City Hall, to be referred to the Administrative Judge for decision, and serve on all parties a Notice of Management Program Dispute, in the Form attached as Exhibit "B" and not exceeding three pages, as soon as practical, and no later than the earliest of (a) the filing by that party of any pleading, motion or response to motion, (b) ten days in advance of a noticed case management conference or thirty days after service of process. Any party opposing the Notice of Management Program Dispute may, but need not, submit a response thereto not exceeding three pages (to Civil Listings Room 296 City Hall) within ten days of service of the Notice.

In the event of the service of a Notice of Management Program Dispute, a copy of that Notice shall be attached to and referenced in all motions and responses to motions filed by any party pending the resolution of the management program dispute.

C. Commencement of Action

All subject actions shall be commenced as provided in Pa. R.C.P. 1007. Philadelphia Civil Rule *205.2 shall be followed. As noted above, in all cases, not just those designated into the Commerce Program, a copy of the Civil Cover Sheet, including any Commerce Program Addendum, shall be served with original process served on all parties.

All jury demands shall be perfected in accordance with Pa.R.C.P. 1007.1 and Phila.Civ.R. *1007.1.

A party seeking emergency relief immediately upon commencing an action subject to the Commerce Program shall follow the procedure set forth in part D.7. below (Rules to Show Cause and Emergency Motions and Petitions).

D. Case Management Procedures

1. *Authority Over Commerce Program Status:* When there is a dispute whether the case is properly assigned to the Commerce Program, the decision will be made by the Administrative Judge. If the Civil Case Manager conducting a case management conference or any party objects as to the Commerce Program assignment, the Case Manager will forward the dispute to the Administrative Judge.

2. *Alternative Procedures Available:* The Commerce Program Judge, in his/her discretion, may, upon application of any party or upon his/her own initiative, modify these procedures. Requests for changes in these procedures will be made by filing a Petition for Extraordinary Relief (which Petition calls for a ten-day response time).

3. *The Case Management Conference:* Typically, notice of a Case Management Conference ("CMC") will be sent

to counsel and unrepresented parties (sixty days after filing) scheduling the CMC for approximately ninety days after filing. In certain circumstances, the CMC may be scheduled through the Commerce Program Judge.

a. *Presiding Officer*: Unless otherwise ordered, the CMC shall be conducted by a Civil Case Manager designated by the Court, acting on behalf of the assigned Commerce Program Judge.

b. *Issues to be Addressed*: The following subjects, along with other appropriate topics, such as service of process, venue, pleadings, discovery, possible joinder of additional parties, theories of liability, damages claimed and applicable defenses (see also Pa.R.C.P. 213.3), will be discussed.

(1) Means for Early Disposition

a. Timing and potential forms of Alternative Dispute Resolution (ADR). The case manager will make available the list of Commerce Program Judges Pro Tempore (as provided by the Business Litigation Committee of the Philadelphia Bar Association).

b. Scheduling pre-discovery dispositive motions, only if oral argument is needed. (Whether to hear oral argument is up to the Commerce Program Judge). The Commerce Program Judge will likely have a half day set aside for hearing Motions and Rules.

c. Scheduling limited-issue discovery in aid of early dispositive motions. The Case Manager will advise counsel of the half day Discovery Program set up for that Commerce Program Judge.

(2) Schedules and Deadlines

a. Assignment to a Case Management Track and issuance of a Case Management Order ("CMO"), which will set forth a target trial date, deemed the earliest trial date pursuant to Pa.R.C.P. 212.1.

b. A discovery plan and schedule based on the CMO date for the completion of discovery.

c. Anticipated areas of expert testimony, timing for identification of experts, responses to expert discovery, exchange of expert reports (reference to the CMO).

(3) Potential Use of a Commerce Court Judge Pro Tempore

a. On stipulation of all parties for supervision of discovery.

b. For mediation.

c. Identification of a particular Commerce Program Judge Pro Tempore acceptable to all parties.

d. The choice of a particular Judge Pro Tempore for these purposes must be approved by the Court.

e. Use of a Pro Tempore Judge for purposes of discovery or mediation cannot affect the deadlines set forth in the CMO.

The Commerce Program Judge may establish any informal procedures to achieve expeditious resolution of discovery disputes and other non-dispositive issues. Prior to the CMC, it shall be the obligation of the parties to confer concerning all of the above matters, for the purposes of reaching agreements.

5. *Case Management Order*: At the CMC, the case manager shall issue a Case Management Order ("CMO") setting forth dates for a Settlement Conference and for a Pretrial Conference (with Pretrial Statements typically to be filed in advance), and for Trial. The CMO will also

address cut-off dates for completion of discovery, for the service of expert reports and for the filing of Motions.

Based upon the nature and complexity of the case, the case manager with input from the parties at the CMC shall assign the case to a track. The Commerce Program shall typically employ the following management tracks: Commerce Expedited (Target Trial Date within 13 months of Complaint) and Commerce Standard (Target Trial Date within 18 months of Complaint). Only exceptionally complicated cases should be designated Commerce Complex (Target Trial Date within two years of Complaint). In the latter instance, the Commerce Program Judge may schedule status conferences at six month intervals or at other times upon application of the parties, if appropriate.

The Commerce Expedited Track shall consist of matters in which minimal discovery is needed and legal issues are anticipated to be routine. Examples of such actions, in the absence of complicating factors, are actions relating to commercial loans, and contract, UCC and foreclosure matters. Other matters should presumptively be designated Commerce Standard. Actions in which preliminary injunctive relief is sought may be appropriate for any of the tracks depending upon the circumstances.

A suggested form Case Management Order is attached as Exhibit "C." A grid of time standards that will be employed depending upon the applicable Track Case Management Order is attached as Exhibit "D."

6. *Motion Practice and Discovery Motions*. The Commerce Program Judge to whom the action is assigned will hear all pretrial motions, including discovery motions, except that, to the extent that scheduling or other concerns so require, a Commerce Program Judge may make arrangements for certain discovery and other pretrial motions to be heard by another Commerce Program Judge. All motions (including discovery motions) shall be filed in Motion Court with a designation on the Motion Court Cover Sheet of the assigned Commerce Program Judge. Any Notice of Management Program Dispute that is pending or is being filed contemporaneously with the Motion filing, should be noted in the Motion Court Cover Sheet. Oral argument is at the discretion of the Commerce Program Judge.

A Commerce Program Discovery List for each Commerce Program Judge shall be established so that discovery matters ordinarily will be heard by that Judge on a particular day of the week. Each Judge may also scheduling hearings on non-discovery motions on the discovery day, or at such other times as the Court deems appropriate.

7. *Rules to Show Cause and Emergency Motions and Petitions*. Rules to show cause in cases assigned to the Commerce Program will be presented in the Motions Court, where they will be reviewed as to form, and forwarded to the assigned Commerce Program Judge for consideration.

Unless there is a dispute as to Commerce Program applicability, emergency motions or petitions in a newly filed action presented in a matter appropriate for assignment to the Commerce Program shall be referred to a Commerce Program Judge for disposition. If there is any dispute regarding Commerce Program applicability, that dispute shall be referred to the Administrative Judge or the designee of the Administrative Judge. Parties are encouraged to give the Motion Court advance notice of an emergency motion or petition, including notice that the action is assigned to the Commerce Program or may be appropriate for such assignment. If the assigned Com-

merce Program Judge is unavailable, an emergency motion or petition in an action already assigned to Commerce Program shall be heard by the other Commerce Program Judge, if available, with any subsequent hearing referred back to the assigned Commerce Program Judge. If no Commerce Program Judge is available to hear an emergency motion or petition, such motion or petition shall be referred to a Judge assigned to Motion Court (or, if necessary, the Emergency Judge), with any subsequent hearing referred back to the appropriate Commerce Program Judge. An emergency motion heard by a Commerce Program Judge in a case which has not yet gone through the random assignment procedure shall be subject to that procedure prior to any subsequent hearing and the subsequent hearing shall be scheduled before the Commerce Program Judge assigned.

8. *Settlement Conferences.* A settlement conference may be expeditiously scheduled in any case in which counsel concur that such a conference may be productive. Such requests shall be made in writing by letter to the assigned Commerce Program Judge, and in all other respects Local Civ.R. *212.1(B) should be applied.

Except as otherwise provided in Local Civil Rule *212.3 (Settlement Conferences—Non Jury Cases), Commerce Program Judges may assist the parties in reaching a fair and reasonable settlement or other resolution of the matter. To that end, the assigned Commerce Program Judge, in his or her discretion, may schedule one or more formal settlement conferences. The Commerce Program Judge may also encourage the parties to engage in settlement discussions and in any form of Alternative Dispute Resolution (ADR), including the assistance of a Commerce Program Judge Pro Tempore, that may result in settlement, avoidance of trial or expeditious resolution of the dispute. Except upon order of the Court, the pendency of any form of ADR shall not alter the date for commencement of trial.

9. *Pretrial Conference.* A Pretrial Conference shall be held in all Commerce Program actions. At the conclusion of the Pretrial Conference, a Pretrial Order controlling the conduct of trial may be entered. The Court shall exercise its best efforts to try the matter as soon after the target trial date as practicable.

Typically, the CMO will require the filing of Pretrial Statements (Pa.R.C.P. 212.2) in advance of the Pretrial Conference. Prior to the Pretrial Conference, principal trial counsel shall confer on the matters set forth in Pa.R.C.P. 212.3, and attempt to reach agreement on any such matters.

Following the Pretrial Conference, the Commerce Program Judge shall enter a Trial Scheduling Order, identifying the date by which the matter should be prepared for trial, and, if applicable, the date to be placed into a trial pool or the date of any special listings. The Trial Scheduling Order may further provide specific dates, to the extent not already addressed in the Case Management Order, for such matters as:

A. Exchange of proposed stipulations and filing of stipulations in writing to facts about which there can be no reasonable dispute;

B. Pre-marking and exchanging copies of all documents or other exhibits to be offered in evidence at trial;

C. Service and filing of written objections to any documents or other exhibits as to which a party intends to object at trial, together with the legal basis for such objections;

D. Identification in writing of all deposition testimony, by page and line number, intended to be read into the record at trial, followed by counterdesignations and objections to deposition designations;

E. Exchange of trial briefs and proposed findings of fact and conclusions of law (nonjury) or requested points for jury charge (jury).

At such time prior to trial as may be fixed by the Court, it shall rule on all matters placed in issue under this procedure.

In addition, the Commerce Program Judge may establish procedures consistent with the requirements of each case to ensure close interaction with the parties in order to minimize trial time.

E. Commerce Program Judges Pro Tempore And Alternative Dispute Resolution

There shall be established in the Commerce Program, an Alternative Dispute Resolution program for Commerce Program actions, which may include, but is not limited to, mediation and the assistance of Commerce Program Judges Pro Tempore.

1. *Panel of Commerce Program Judges Pro Tempore.* The Administrative Judge or designee shall designate a panel of Commerce Program Judges Pro Tempore from among volunteers nominated and approved by the Philadelphia Bar Association Business Law Section, Business Litigation Committee, who shall be distinguished attorneys engaged in active practice of law with no less than fifteen (15) years trial experience including a practice focused on the type of litigation described in section B.1. above (Cases Subject to Commerce Program). Commerce Program Judges Pro Tempore shall serve without charge. Persons may be added to or removed from the panel as the Administrative Judge or designee may determine consistent with the qualifications above.

The Court may order a Commerce Program case to be assigned for Settlement Conference to a Commerce Program Judge Pro Tempore who shall, on a date certain, hold a Settlement Conference which must be attended by trial counsel representing the parties and any unrepresented parties. Counsel and unrepresented parties shall provide to the Commerce Program Judge Pro Tempore prior to the Settlement Conference a fully completed Settlement Memorandum, in a form to be established by the Commerce Program Judges. The Commerce Program Judge Pro Tempore on such a referral is not authorized to rule on any motions, but will attempt to facilitate a settlement between the parties.

2. *Mediation. a. Referral to Mediation and Selection of Mediator.* Commerce Program cases may be referred to nonbinding mediation at the discretion of the Commerce Program Judge, who may make such referrals at the time of the Case Management Conference, at a Trial Scheduling Conference referenced above, or at another time. Where appropriate and whether or not mediation is pursued at an early stage of the litigation, the Commerce Program Judge has the discretion to refer cases to nonbinding mediation at a later stage of the proceedings.

The Court may permit the parties to choose the mediator from among the panel of Commerce Program Judges Pro Tempore, or agree to pay for a mediator not on the panel. The order of reference to mediation shall not stay or delay any scheduling dates, unless the Court so orders.

b. *Conflicts of Interest.* A mediator to whom a case is assigned must disclose to the parties and to the Court any apparent conflict of interest. Unless the mediator

determines consistent with any applicable ethical requirements and guidelines that he or she should preside notwithstanding any such apparent conflict of interest and the parties and the Court agree that such mediator nevertheless shall preside, another mediator shall be selected.

c. *Confidentiality of Mediation.* The order referring an action to mediation shall require that the mediator report to the Court the disposition of the mediation in accordance with a schedule as determined by the Court, under the guidelines below. The order shall also provide that all information received by the mediator as to the merits of the matter, including the submitted memoranda, shall remain confidential and not be reported or submitted to the Court by the mediator or the parties, except as necessary in a stipulation of settlement agreed to by the parties.

d. *Mediation Procedure.* The first mediation session preferably shall be conducted within 30 days of the execution of the order of reference, unless the Court establishes a different schedule. At least ten days before the first session, each party shall deliver to the mediator a copy of its pleadings, any briefs filed in the action important to the mediation and a memorandum of not more than five pages (double-spaced), setting forth that party's contentions as to liability and damages. The memorandum shall be served on all parties, but shall be marked "Confidential, for Mediation Only," and may not be used, cited, quoted, marked as an exhibit or referenced in any proceedings. Attendance at the first mediation session shall be mandatory, and the mediator may require, in addition to the appearance of the attorneys, the presence of the parties or their representatives with authority to settle. If the first session is successful, the settlement shall be reduced to a stipulation, and the mediator shall submit forthwith the stipulation, the notice of discontinuance and the report of disposition to the Court. The report of disposition shall be on a form prescribed by the Court Administrator.

e. *Report; Extensions.* If the action is not settled upon completion of the first session, the mediator may schedule additional sessions on consent of the parties. However, at the end of the first session, any party or the mediator may terminate the mediation effort, and in that case the

mediator shall advise the Court forthwith that mediation has been terminated but shall not disclose the identity of any parties who terminated or did not terminate the mediation.

Except as set forth below, subsequent sessions should be concluded within 15 days from the date by which the first session was to have been held according to the order of reference. The mediator shall report to the Court as to the outcome of the mediation session(s) no later than 20 days from the date by which the first session was to have been held according to the order of reference.

If mediation cannot be concluded within 15 days from the date by which the first session was to have been held according to the order of reference, upon consent of all parties a 30-day extension of time to conduct further sessions may be granted by the mediator. If such extension is granted, the mediator shall report to the Court as to the success or lack of success of the additional sessions as soon as practicable but in any event no later than 5 days after the final mediation session.

All deadlines and relevant procedures shall be set forth in a standard form order of reference.

By the Court

JOHN W. HERRON,
Administrative Judge
Trial Division

This Administrative Docket is promulgated in accordance with the April 11, 1987 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55, Judicial Administration, Docket No. 1, Phila. Civ. *51 and Pa.R.C.P. 239, and shall become effective immediately. As required by Pa.R.C.P. 239, the original Administrative Docket shall be filed with the Prothonotary in a docket maintained for Administrative Dockets issued by the Administrative Judge of the Trial Division and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of the Administrative Docket shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District.

EXHIBIT A

COMMERCE PROGRAM ADDENDUM TO CIVIL COVER SHEET

This case is subject to the Commerce Program because it is not an arbitration matter and it falls within one or more of the following types (check all applicable):

- _____ 1. Actions relating to the internal affairs or governance, dissolution or liquidation, rights or obligations between or among owners (shareholders, partners, members), or liability or indemnity of managers (officers, directors, managers, trustees, or members or partners functioning as managers) of business corporations, partnerships, limited partnerships, limited liability companies or partnerships, professional associations, business trusts, joint ventures or other business enterprises, including but not limited to any actions involving interpretation of the rights or obligations under the organic law (e.g., Pa. Business Corporation Law), articles of incorporation, by-laws or agreements governing such enterprises;
- _____ 2. Disputes between or among two or more business enterprises relating to transactions, business relationships or contracts between or among the business enterprises. Examples of such transactions, relationships and contracts include:
 - _____ a. Uniform Commercial Code transactions;
 - _____ b. Purchases or sales of business or the assets of businesses;

- _____ c. Sales of goods or services by or to business enterprises;
- _____ d. Non-consumer bank or brokerage accounts, including loan, deposit cash management and investment accounts;
- _____ e. Surety bonds;
- _____ f. Purchases or sales or leases of, or security interests in, commercial, real or personal property; and
- _____ g. Franchisor/franchisee relationships.
- _____ 3. Actions relating to trade secret or non-compete agreements;
- _____ 4. "Business torts," such as claims of unfair competition, or interference with contractual relations or prospective contractual relations;
- _____ 5. Actions relating to intellectual property disputes;
- _____ 6. Actions relating to securities, or relating to or arising under the Pennsylvania Securities Act;
- _____ 7. Derivative actions and class actions based on claims otherwise falling within these ten types, and consumer class actions other than personal injury and products liability claims;
- _____ 8. Actions relating to corporate trust affairs;
- _____ 9. Declaratory judgment actions brought by insurers, and coverage dispute and bad faith claims brought by insureds, where the dispute arises from a business or commercial insurance policy, such as a Commercial General Liability policy;
- _____ 10. Third-party indemnification claims against insurance companies where the subject insurance policy is a business or commercial policy and where the underlying dispute would otherwise be subject to the Commerce Program, not including claims where the underlying dispute is principally a personal injury claim.

Instructions: Please see Commerce Case Management Program: Procedure for Disposition of Commerce Program Cases Filed On and After January 1, 2000. Arbitration matters are not subject to the Commerce Program. Note that the following types of matters are not to be included in the Commerce Program:

1. Matters subject to Compulsory Arbitration in this Court or to the jurisdiction of the Municipal Court, including any appeals.
2. Personal injury, survival or wrongful death matters.
3. Individual (non-class) consumer claims against businesses or insurers, including products liability and personal injury cases.
4. Matters involving occupational health or safety.
5. Environmental claims not involved in the sale or disposition of a business and other than those addressed in Commerce Program types 9 or 10 above.
6. Matters in eminent domain.
7. Malpractice claims, other than those brought by business enterprises against attorneys, or accountants, architects or other professionals in connection with the rendering of professional services to the business enterprise.
8. Employment law cases, other than those referenced in Commerce Program type 3 above.
9. Administrative agency, tax, zoning and other appeals.
10. Petition Actions in the nature of Change of Name, Mental Health Act Petitions, Petitions to Appoint an Arbitrator, Government Election Matters, Leave to Issue Subpoena, Compel Medical Examination.
11. Individual residential real estate and non-commercial landlord-tenant disputes.
12. Domestic relations matters, and actions relating to distribution of marital property, custody or support.
13. Any matter required by statute, including 20 Pa.C.S. Chapter 7, §§ 711 & 713, to be heard in the Orphans' Court or Family Court Division of the Philadelphia Court of Common Pleas, or other matter which has heretofore been within the jurisdiction of the Orphans' Court or Family Court Division of this Court.
14. Any criminal matter other than criminal contempt in connection with a Commerce Program action.
15. Such other matters as the Court shall determine.

EXHIBIT B NOTICE OF MANAGEMENT PROGRAM DISPUTE

FIRM NAME
 BY: ATTORNEY NAME
 IDENTIFICATION NO.: XXXXX
 STREET ADDRESS
 PHILADELPHIA, PA 191XX
 TELEPHONE NO.: XXX-XXX-XXXX

Attorney for Defendant: XYZ, Inc.

PLAINTIFF	:	PHILADELPHIA COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	_____ TERM, 20XX
	:	No: _____
DEFENDANT	:	

NOTICE OF MANAGEMENT PROGRAM DISPUTE

According to the Civil Cover Sheet and Commerce Program Addendum filed by Plaintiff on [date] and served on [date], Plaintiff designated this action as [not subject to the Commerce Program] [or] [subject to the Commerce Program, designating type[s] X [and X]].

[This action is not subject to the Commerce Program because _____.] [or] [This action is subject to the Commerce Program. It is not an arbitration matter and falls within type[s] X [and X] in the Commerce Program types, as identified in the Commerce Program Addendum executed by the undersigned and attached as Exhibit A hereto.]

[Any additional comments, with total document (excluding cert. of service and Commerce Program Addendum) not to exceed three pages.]

 Name of Attorney
 Attorney for Defendant, XYZ, Inc.

[Include Certificate of Service identifying date and manner of service and names and addresses].

EXHIBIT C CASE MANAGEMENT ORDER
IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

caption : court term and number

COMMERCE PROGRAM
CASE MANAGEMENT ORDER
_____ TRACK

AND NOW, this _____ day of _____, 200 __, it is ORDERED that:

1. The case management and time standards adopted for the Commerce Program, "_____ track" cases shall apply and are incorporated.

2. All discovery shall be completed no later than _____.

3. Plaintiff(s) shall identify and submit Curriculum Vitae and Expert Reports for all expert witnesses intended to testify at trial to all other parties not later than _____.

4. Defendant(s) and any additional defendant(s) shall identify and submit Curriculum Vitae and Expert Reports of all expert witnesses intended to testify at trial to all other parties not later than _____.

5. All Pretrial Motions (other than Motions in Limine) shall be filed not later than _____.

6. A settlement conference may be scheduled at any time after _____. On or before that date all parties shall serve on all opposing counsel or pro se parties and file a Settlement Memorandum containing the following:

(a) The plaintiff(s) shall provide a concise statement of the theory of the case. The defendant(s) and additional defendant(s) shall provide a concise statement as to the nature of the defense.

(b) A statement by the plaintiff(s) itemizing all damages sought by categories and amounts.

(c) Defendant(s) and additional defendant(s) shall identify all applicable insurance carriers, together with corresponding limits of liability.

7. A Pretrial Conference may be scheduled at any time after _____. Fifteen days prior to the Pretrial Conference, all parties shall file and serve on all opposing counsel or pro se parties a Pretrial Statement containing the following:

(a) The plaintiff(s) shall provide a concise statement of the theory of the case. The defendant(s) and additional defendant(s) shall provide a concise statement as to the nature of the defense;

(b) A list of all witnesses who may be called to testify at trial by name and address. Counsel should expect witnesses not listed to be precluded from testifying at trial;

(c) A list of all exhibits the party intends to offer into evidence. All exhibits shall be numbered and exchanged among counsel prior to the Conference. Counsel should expect any exhibit not listed to be precluded at trial;

(d) Plaintiff(s) shall itemize all damages claimed by category and amount;

(e) Defendant(s) and all additional defendant(s) shall state a position regarding the damages claimed and identify all applicable insurance carriers, together with applicable limits of liability; and

(f) An estimate of the anticipated length of trial.

8. It is expected that the case will be ready for trial _____, which is the earliest trial date pursuant to Pa.R.C.P. 212.1, and counsel should anticipate trial to begin expeditiously thereafter.

9. All counsel are under a continuing obligation, and hereby ORDERED to serve a copy of this Order upon all unrepresented parties and upon all counsel entering an appearance subsequent to the entry of this Order.

BY THE COURT:

_____, J.

Exhibit D: Commerce Program Management Tracks

Commerce Program Time Standards by Track			
Case Event	Commerce Expedited	Commerce Standard	Commerce Complex
Case Management Conference	3 months	3 months	3 months
Status Conference	Discretionary	Discretionary	Discretionary ¹
Discovery Complete	6 months	11 months	17 months
Plaintiff Expert Reports	6 months	11 months	17 months
Defendant Expert Reports ²	8 months	13 months	19 months
Motions Filed	8.5 months	13.5 months	19.5 months
Settlement Conference	11 months	16 months	22 months
Pretrial Conference	12 months	17 months	23 months
Trial	13 months	18 months	24 months

¹ A Status Conference may be scheduled at six month intervals if requested by counsel and approved by the Court.

² The Court will provide for rebuttal expert reports to the extent appropriate.

[Pa.B. Doc. No. 99-2036. Filed for public inspection December 3, 1999, 9:00 a.m.]

Title 25—LOCAL COURT RULES

BRADFORD COUNTY Rule of Civil Procedure No. 400.1(b)

Order

And Now, this 5th day of November, 1999, the Court hereby stays Bradford County Rule of Civil Procedure 400.1(b).

It is further ordered that the District Court Administrator shall file seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedural Rules Committee and one (1) copy to the *Bradford County Law Journal* for publication in the next issue of the *Bradford County Law Journal*.

It is further ordered that this Order staying said local rule shall be kept continuously available for public inspection and copying in the Prothonotary's Office.

By the Court

JEFFREY A. SMITH,
President Judge

[Pa.B. Doc. No. 99-2037. Filed for public inspection December 3, 1999, 9:00 a.m.]

SCHUYLKILL COUNTY Rules of Civil Procedure; S-2227-99

And Now, this 16th day of November, 1999, at 10:45 a.m., the Court hereby amends Schuylkill County Civil Rule of Procedure No. 205.3 for use in the Court of Common Pleas of Schuylkill County, Pennsylvania (21st Judicial District). This rule shall be effective thirty days after publication. The Prothonotary of Schuylkill County is Ordered and Directed to do the following:

1) File ten (10) certified copies of this Order and Rule with the Administrative Office of Pennsylvania Courts.

2) File two (2) certified copies of this Order and Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a diskette reflecting the text in the hard copy version.

3) File one (1) certified copy of this Order and Rule with the Pennsylvania Civil Procedural Rules Committee.

4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.

5) Keep continuously available for public inspection copies of this Order and Rule.

By the Court

WILLIAM E. BALDWIN,
President Judge

Rule 205.3. Praeceptum to Transmit.

All filings which require action by a judge, or an assignment by the Court Administrator shall be accompanied by a praecipe to transmit on Prothonotary Form 205.3, and shall indicate the nature of the filing and what

action is being sought to move the matter forward. The purpose of the praecipe is to advise the Court of what may be necessary for a disposition (i.e., when a hearing is required; when a matter is ripe for disposition on the record; matters that can be immediately addressed) and to expedite action on the filing. When a non-jury trial or a hearing involving witnesses is being required, then the moving party shall list the witnesses to be presented and include an estimate as to the time required to present the case. In matters requiring a non-jury trial or hearing, opposing counsel is required to submit a report in WRITING to the Court Administrator within 10 days of the moving party's filing of the praecipe to transmit, (1) listing the names of the witnesses they will use at trial or hearing; and (2) an estimate of time required to present their case. Failure to file the praecipe to transmit or to indicate what action is required from the Court may result in denial of the relief sought. Failure to list witnesses may result in the preclusion of their testimony.

[Pa.B. Doc. No. 99-2038. Filed for public inspection December 3, 1999, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 147]

Issuance of Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 5, 1999, meeting, adopted the following changes:

Amend § 147.2 (relating to general) by the addition of subsection (d) that requires new permit applicants to show proof they are authorized by their local governmental body to conduct the activity specified on the permit.

This amendment is adopted under the authority of 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Amendment to § 147.2

1. Introduction

To more effectively administer the wildlife permit system of the Commonwealth, the Commission at its June 8, 1999, meeting proposed, and at its October 5, 1999 meeting, finally adopted a change in § 147.2 to add subsection (d) requiring documentation that the privilege granted by a permit does not violate any local zoning ordinances or other local rule. This addition was adopted under authority contained in section 2901(b) of the code (relating to regulations for permits).

2. Purpose and Authority

The Commission is charged with the responsibility of regulating and issuing permits for the possession of game and wildlife and activities associated with that possession. Former permit regulations did not take into account local land use and other ordinances, which may impact on that possession or those activities. As a result, the Commission may have issued permits which allowed possession of wildlife or an activity that violated local law. A good example would have been a permit for possession of a tiger in a residential neighborhood. The adopted addition deals with these types of situations.

Section 2901(b) of the code authorizes the Commission to promulgate regulations "... for the issuance of any permit or ... to control the activities which may be performed under authority of any permit issued." This provision is the basis for the adopted change.

3. Regulatory Requirements

The adopted change requires all new applicants for permits to provide documentation that the proposed possession or activity complies with local requirements. It is anticipated that this will ordinarily be done in letter form.

4. Persons Affected

Persons wishing to apply for a Commission permit will be affected by the requirement.

5. Comment and Response Summary

One written comment was received from the Association of Township Supervisors totally in support of the adopted change.

6. Cost and Paperwork Requirements

There will be no additional charges imposed by the Commission. Municipalities may charge for furnishing the required documentation.

7. Effective Date

The change is effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

8. Contact Person

For further information on the adopted change, contact Thomas R. Littwin, Acting Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA (717) 783-6526.

Findings

The Commission finds that:

(1) The public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of this amendment of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Game Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.2 to read as set forth at 29 Pa.B. 4169 (August 7, 1999).

(b) The Executive Director of the Game Commission shall submit this order and 29 Pa.B. 4169, and deposit it with the Legislative Reference Bureau as required by law.

(c) This order amending § 147.2 shall become effective upon final publication in the *Pennsylvania Bulletin*.

VERNON R. ROSS,
Executive Director

(*Editor's Note:* The proposal to add § 147.146, included in the proposed rulemaking at 29 Pa.B. 4169 (August 7, 1999), has been withdrawn by the Commission.)

Fiscal Note: 48-113. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 99-2039. Filed for public inspection December 3, 1999, 9:00 a.m.]

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CHS. 93 AND 94]

Inheritance Tax; Disclaimers of Nonprobate Taxable Assets

The Department of Revenue (Department), under the authority contained in section 2103 of the Tax Reform Code of 1971 (TRC) (72 P. S. § 9103), by this order amends Chapter 93 (relating to Inheritance Tax Division),

by adding § 93.141 (relating to disclaimers of nonprobate taxable assets) and deleting § 94.1 (relating to disclaimers of nonprobate taxable assets) to read as set forth in Annex A.

Purpose of Amendments

Based on the opinion and order issued from the Commonwealth Court in *In Re Estate of Bernecker*, 654 A.2d 246 (Pa. Cmwlth. 1995), the Department is revising its policy on the effectiveness of disclaimers of nonprobate taxable assets for Inheritance Tax purposes.

Explanation of Regulatory Requirements

Section 93.141(a) sets forth the scope and application of the regulation. Subsection (b) defines "disclaimer," "disclaimant" and "nonprobate taxable assets." Subsection (c) sets forth specific conditions the Department will utilize to determine whether a disclaimer executed in regard to nonprobate taxable assets and nontrust assets of a decedent is valid for Inheritance Tax purposes, when made by the disclaiming party, or the personal representative of a deceased individual, or the guardian or attorney-in-fact of an incapacitated person or minor to whom the interest would have devolved, absent the disclaimer. Filing requirements are in subsection (d) and notice requirements are in subsection (e).

With the adoption of § 93.141, the Department is deleting the statement of policy in § 94.1. The statement of policy provided the public with an explanation of the Department's policy on the effectiveness of disclaimers of nonprobate taxable assets for Inheritance Tax purposes pending the adoption of § 93.141.

Affected Parties

Resident and nonresident decedent estates containing nonprobate taxable assets subject to Pennsylvania Inheritance Tax may be affected by this regulation.

Comment and Response Summary

Notice of proposed rulemaking was published at 27 Pa.B. 4750 (September 13, 1997). This regulation is being adopted with changes to the proposed rulemaking.

The Department did not receive comments during the public comment period. No comments were received from the House Finance Committee or the Senate Finance Committee. Comments were received from the Independent Regulatory Review Commission (IRRC).

To adequately address the comments raised by IRRC and to provide a clear statement of the Department's policy relating to disclaimers of nonprobate taxable assets, the Department found it necessary to delete the proposed text of § 93.81 and adopt new language in a new Subchapter F, Disclaimer of Nonprobate Taxable Assets, § 93.141, to read as set forth in Annex A.

In response to IRRC's comments, the following revisions have been made to the regulation:

(1) IRRC's first comment concerned proposed subsection (a) of § 93.81. The subsection explained that the Department was revising its policy regarding disclaimers of nonprobate taxable assets to reflect the Commonwealth Court decision in *Bernecker*. IRRC indicated that the text should be set forth in the preamble and deleted from the regulation. In addition, the citation to *Bernecker* should be referenced in the notes of decision section in the *Pennsylvania Code*. The Department agrees with IRRC's comment and has deleted the language from the regulation and placed it in the preamble. The Department will

suggest that the *Bernecker* citation be incorporated in the notes of decisions section when the regulation is codified in the *Pennsylvania Code*.

(2) Proposed § 93.81(b)(2) provided, "The same rule applies to nonresident decedents with nonprobate taxable assets subject to Pennsylvania Inheritance Tax." IRRC's comment regarding this paragraph was that the provision was ambiguous and its location could be confusing. IRRC recommended that the Department move the provision to subsection (a) of the rulemaking and reword the provision to more clearly provide, "This regulation is applicable to all resident and nonresident decedents with nonprobate taxable assets subject to Pennsylvania Inheritance Tax." The Department agrees that the provision was not properly placed; however, instead of moving the provision to subsection (a), the Department has placed the language in the preamble.

(3) Proposed paragraph (3) under § 93.81(b) provided that the disclaimer shall be in writing and satisfy the requirements of 20 Pa.C.S. Chapter 62 (relating to disclaimers) in effect at the time the disclaimer is made. IRRC suggested that the phrase "in effect at the time the disclaimer is made" was unnecessary and should be deleted because disclaimers must satisfy the statutory requirements in effect at the time the disclaimer is executed. The Department agrees with IRRC's suggestion and has deleted the phrase from the final-form regulation (§ 93.141(c)(2)).

(4) In its comments, IRRC indicated that within proposed subsection (b), paragraphs (1)(i), (5) and (6) of § 93.81 do not use consistent terminology when referring to an individual who may be making a disclaimer. For clarity purposes, IRRC suggested that the Department use a uniform description when referring to individuals who may disclaim. The Department agrees with the suggestion and has completely reworded the provision in the final-form regulation (§ 93.141(c)).

(5) IRRC also commented on the citations to various county court of common pleas orphans' court division decisions set forth in the regulation. Their first concern was that the Department was applying county or local court holdings on a Statewide basis. Secondly, though the citations clarify the Probate, Estates and Fiduciary Code provisions regarding disclaimers and the TRC regarding disclaimers or renunciation for Inheritance Tax purposes, the subject regulation was promulgated under the Department's authority under the TRC. The subject regulation sets forth the treatment of disclaimers for Inheritance Tax purposes, not for probate purposes.

IRRC suggested that the Department delete the citations from the regulation. In addition, if the Department believes the cases will provide assistance to individuals and practitioners, the Department should explain the cases in the preamble and reference them in the notes of decisions section contained in the *Pennsylvania Code*.

The Department understands IRRC's concerns and has deleted the citations from the body of the regulation. The Department will suggest that the citations be incorporated in the notes of decisions section when the regulation is codified in the *Pennsylvania Code*.

(6) With regard to proposed § 93.81(b)(7), IRRC stated that the paragraph was ambiguous because it appears to require subparagraphs (i)—(iii) to occur in order to allow a personal representative to make a disclaimer on behalf of a decedent without court authorization. However, section 6202 of the Probate, Estates and Fiduciary Code (20 Pa.C.S. § 6202) allows a disclaimer to be made without

court authorization only when the will of the decedent so authorizes. To resolve this issue, IRRC proposed language to restructure the paragraph. The Department agrees that the proposed language could be confusing and has restructured the provision in the final-form regulation (§ 93.141(d)).

(7) IRRC's final comment related to the deletion of the Department's statement of policy relating to disclaimers of nonprobate taxable assets that appeared in § 94.1. IRRC noted that the preamble for the proposed rulemaking did not mention the statement of policy, nor did it indicate that the statement of policy would be deleted upon adoption of § 93.81; therefore, IRRC suggested that the statement of policy be deleted upon adoption of § 93.81.

It was the Department's intention to delete § 94.1 with the adoption of the regulation; however, reference in the proposal was not possible because the statement of policy was not codified when the proposed regulation began the review process. Consistent with IRRC's comment and the Department's intent, language has been added to the regulation which deletes § 94.1 upon the adoption of § 93.141.

Fiscal Impact

The Department has determined that the revenue impact of the regulation may be a nominal loss to the Commonwealth. In most cases, disclaimers are used to reduce the beneficiary's Federal Estate Tax, rather than Pennsylvania Inheritance Tax. Use of disclaimers would most likely be by beneficiaries whose rate or level of taxation would exceed that of parties receiving assets through probate. It is believed that disclaimers from lower rates of tax to higher rates of tax through the estate would be rare.

Paperwork

The amendments will not generate significant additional paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

The amendments will become effective upon final publication in the *Pennsylvania Bulletin*. The regulation is scheduled for review within 5 years of final publication. No sunset date has been assigned.

Contact Person

The contact person for an explanation of the amendments is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 3, 1997, the Department submitted a copy of the notice of proposed rulemaking, published at 27 Pa.B. 4750, to IRRC and the Chairpersons of the House Committee on Finance and the Senate Committee on Finance for review and comment. In compliance with section 5(c) of the Regulatory Review Act the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In preparing this final-form regulation, the Department has considered the comments received from IRRC, the Committees and the public.

This final-form regulation was deemed approved by the Committees on October 14, 1999, and was approved by

IRRC on October 21, 1999, in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745a(e)).

Findings

The Department finds that:

(1) Public notice of intention to amend the regulations has been duly given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments are necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code, are amended by adding § 93.141 and by deleting a statement of policy in § 94.1 to read as set forth in Annex A. (*Editor's Note:* The proposal to add § 93.81 at 27 Pa.B. 4750 has been withdrawn by the Department.)

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ROBERT A. JUDGE, Sr.,

Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 29 Pa.B. 5777 (November 6, 1999).)

Fiscal Note: Fiscal Note 15-390 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subpart B. GENERAL FUND REVENUES

ARTICLE IV. COUNTY COLLECTIONS

CHAPTER 93. INHERITANCE TAX DIVISION

Subchapter F. DISCLAIMERS OF NONPROBATE TAXABLE ASSETS

§ 93.141. Disclaimers of nonprobate taxable assets.

(a) *Scope and application.* Subsection (c) sets forth specific criteria the Department will utilize to determine whether a disclaimer executed in regard to either nonprobate taxable assets or nontrust assets of a decedent is valid for Inheritance Tax purposes, when the disclaimer is made by the disclaiming party, or the personal representative of a deceased individual, or the guardian or attorney-in-fact of an incapacitated person or minor to whom the interest would devolve, absent a disclaimer.

(b) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Disclaimant—Any party in an individual capacity, or a personal representative on behalf of a deceased indi-

vidual, or a guardian or attorney-in-fact on behalf of an incapacitated person or a minor who renounces or refuses to accept a transfer of property.

Disclaimer—A signed renunciation or refusal to accept an interest in property that describes the interest disclaimed. The disclaimer may disclaim, in whole or in part, any present or future interest, vested or contingent, including a possible future right to take as an appointee under an unexercised power of appointment or under a discretionary power to distribute income or principal.

Nonprobate taxable asset—Property transferred upon a decedent's death that is subject to Inheritance Tax but is not subject to administration by the personal representative of the decedent's estate.

(c) *Conditions*. Disclaimers of nonprobate taxable assets, including rights of survivorship interests in multiple-party accounts, titled tangible personal property or real estate, beneficial interests in third-party beneficiary contracts (that is, retirement benefit plans, annuity contracts, individual retirement accounts, Keogh Plan proceeds, matured endowment insurance policies and certain out-of-State government lottery contracts) and *intervivos* gifts are valid for Inheritance Tax purposes if the following conditions are met:

- (1) The disclaimer is made by a disclaimant.
- (2) The disclaimer is in writing and satisfies 20 Pa.C.S. Chapter 62 (relating to disclaimers).
- (3) The disclaimer is signed and dated by the disclaimant.

(d) *Filing*.

(1) When the will of the decedent authorizes the personal representative to make a disclaimer on behalf of a decedent without court authorization, or when a disclaimant acts in his individual capacity, the personal represen-

tative or the individual shall sign and date the disclaimer within 9 months of the date of death of the decedent as provided in section 2116(c) of the TRC (72 P. S. § 9116(c)), attach a copy of the probated last will and testament to the Inheritance Tax return and file the documents referenced in this section with the Department.

(2) When the disclaimer is made by the personal representative of a deceased individual, or the guardian or attorney-in-fact, in accordance with 20 Pa.C.S. § 6202 (relating to disclaimers by fiduciaries or attorneys-in-fact), a petition, motion or other pleading as required by local rule shall be filed with the applicable county orphans' court and, within 9 months of the date of death of the decedent, the personal representative of a deceased individual, or the guardian or attorney-in-fact, shall attach a copy of the probated last will and testament to the inheritance tax return and file the documents referenced in this section with the Department. Filing the disclaimer with the applicable county orphans' court within 9 months of the date of death of the decedent satisfies the filing requirement. The disclaimer is not valid until the court authorizes the disclaimer.

(e) *Notice*. Notice of the filing of an estate's account and of its call for audit or confirmation shall include notice of the disclaimer under section 2116(c) of the TRC. This notice shall be given to the Pennsylvania Department of Revenue, Bureau of Individual Taxes, Inheritance Tax Division, Department 280601, Harrisburg, Pennsylvania 17128-0601.

CHAPTER 94. INHERITANCE TAX PRONOUNCEMENTS—STATEMENTS OF POLICY

§ 94.1. (Reserved).

[Pa.B. Doc. No. 99-2040. Filed for public inspection December 3, 1999, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

Administrative Provisions

The Fish and Boat Commission (Commission) proposes to amend Chapter 51 (relating to administrative provisions). The Commission is publishing this amendment as a notice of proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment relates to counties where the use of the field acknowledgment of guilt is authorized.

A. Effective Date

The proposed amendment, if approved on final rulemaking, will go into effect on January 1, 2000, or upon publication of an order adopting the amendment in the *Pennsylvania Bulletin*, whichever occurs later.

B. Contact Person

For further information on the proposed amendment, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This proposal is available electronically through the Commission's Web site (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed amendment is published under the statutory authority of Act 1999-41, which Governor Ridge signed on November 3, 1999. Section 5 of Act 41, among other things, limits the power of waterways conservation officers to accept field acknowledgments of guilt for summary violations as set forth in section 925 of the code (relating to acknowledgment of guilt and receipts for payment). The law will go into effect on January 1, 2000.

D. Purpose and Background

The proposed amendment is designed to implement Act 41, which provides that field acknowledgments of guilt shall be used only in counties the Commission may designate by regulation for that use upon a finding that the county has summary offense procedures that differ from those used in other counties. The Commission has found that Philadelphia County is a county that uses summary offense procedures that differ from Statewide procedures.

E. Summary of Proposal

The Commission proposes to designate Philadelphia County as a county where the use of the field acknowledgment of guilt is authorized.

F. Paperwork

The proposed amendment will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The proposed amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed amendment will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed amendment to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically at "regulations@fish.state.pa.us." A subject heading of the proposal and a return name and address shall be included in each transmission. In addition, all electronic comments shall be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-104. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter A. PRELIMINARY PROVISIONS

§ 51.8. Counties where the use of the field acknowledgment of guilt is authorized.

Under section 925(d) of the code (relating to acknowledgment of guilt and receipts for payment), the field acknowledgment of guilt may be used in Philadelphia County.

[Pa.B. Doc. No. 99-2041. Filed for public inspection December 3, 1999, 9:00 a.m.]

[58 PA. CODE CH. 65]

Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend § 65.24 (relating to miscellaneous special regulations). The Commission is publishing these amendments as a notice of proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment relates to fishing.

A. Effective Date

The proposed amendment, if approved on final rulemaking, will go into effect on January 1, 2000, or upon publication of an order adopting the amendment in the *Pennsylvania Bulletin*, whichever occurs later.

B. Contact Person

For further information on the proposed change, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546,

P. O. Box 67000, Harrisburg, PA 17106-7000. This proposal is available electronically through the Commission's Web site (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed amendment is published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The proposed amendment is designed to update, modify and improve Commission regulations relating to fishing. The specific purpose of the proposed amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

A recent review of the Commission's regulations by the Bureau of Law Enforcement has revealed that there are two miscellaneous special regulations that state that the creel limit for trout is eight per day. When the Commission amended its Statewide trout regulations earlier this year to reduce the creel limit from eight to five, these miscellaneous regulations should have been amended as well. Accordingly, the Commission proposes the amendment to read as set forth at Annex A.

F. Paperwork

The proposed amendment will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The proposed amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed amendment will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed amendment to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically at "regulations@fish.state.pa.us." A subject heading of the proposal and a return name and address shall be included in each transmission. In addition, all electronic comments shall be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-103. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
	* * * * *	
Mercer	Shenango River from the dam downstream to SR 3025, a distance of 1.5 miles.	Closed season on trout: April 1 until 8 a.m., first Saturday after April 11. Daily limit—Opening day of trout season in April until Labor Day: [eight] five trout per day; day after Labor Day to midnight, March 31 of the following year—three trout per day. Inland regulations apply to warmwater/coolwater species.
	* * * * *	
Somerset, Fayette, Westmoreland and Allegheny	Youghiogheny River from confluence with Casselman River downstream to the confluence with Ramcat Run Youghiogheny River from the pipeline crossing at the confluence with Lick Run downstream to the mouth of the river.	No closed season on trout. Daily limit opening day of trout season to Labor Day— [eight] five trout; day after Labor Day to succeeding opening day of trout season—three trout per day. Inland regulations apply to warmwater/coolwater species.
	* * * * *	

[Pa.B. Doc. No. 99-2042. Filed for public inspection December 3, 1999, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CHS. 141 AND 143]

Hunting hours; conditions for appointment

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its October 5, 1999, meeting proposed the following amendments:

Amend § 141.4 (relating to hunting hours) by making an editorial change to paragraph (2). The proposed change is required as a result of the deletion of a subparagraph and resulting renumbering of the subsections.

Amend § 143.27 (relating to conditions for appointment) by raising the minimum security required for license issuing agents.

These proposed amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposal of these regulations is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

These proposals were made public at the October 5, 1999, meeting of the Commission, and comments on these proposals may be sent to the Executive Director of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until December 31, 1999.

Proposed Amendment to § 141.4

1. Introduction

To more effectively manage the wildlife resources of this Commonwealth, the Commission at its meeting held on October 5, 1999, proposed an editorial change to § 141.4. The proposed change is required as a result of the deletion of a subparagraph and resulting renumbering of the subsections by a regulation finally adopted at the Commission's June 8, 1999, meeting. This change was proposed under sections 322(c)(1) and 2102(a) of the code (relating to powers and duties of the Commission and regulations).

2. Purpose and Authority

At its June 8, 1999 meeting, the Commission expanded hunting hours for hunting mourning doves by deleting paragraph (1) of § 141.4. In doing so, the Commission failed to change a reference in then paragraph (3) to "paragraph (2)," which became paragraph (1). The proposed change will remedy this situation.

Section 322(c)(1) of the code empowers the Commission to fix daily shooting or taking hours. Section 2102(a) of the code authorizes the Commission to promulgate regulations relating to the hunting of game or wildlife in this Commonwealth. The change was proposed under this authority.

3. Regulatory Requirements

The proposed change would not result in any additional regulatory requirements but rather would only clarify the existing regulation.

4. Persons Affected

The proposed change is editorial in nature and would not impact anyone.

5. Cost and Paperwork Requirements

The proposed change should not result in any additional cost or paperwork.

Proposed Amendment to § 143.27

1. Introduction

To more effectively manage the wildlife resources of this Commonwealth and administer its license issuing system, the Commission at its meeting held on October 5, 1999, proposed changing § 143.27 to raise the minimum security required for license issuing agents from \$10,000 to \$18,000. This change was proposed under section 2722(g) of the code (relating to regulations).

2. Purpose and Authority

With the July 1, 1999, effective date of amendments to the code providing for license fee increases, many hunting license issuing agents discovered that they did not have sufficient security to allow them to obtain adequate supplies of licenses for issuance. In addition to reducing the availability of licenses, this resulted in greater workload for the agents and the Commission by reason of the need to order licenses more frequently. As a result, the Commission has decided to propose amending § 143.27 to raise the minimum security to be posted by agents from \$10,000 to \$18,000.

Section 2722(g) of the code directs the Commission to adopt regulations for the administration, control and performance of license issuance. The proposed change is made under that authority.

3. Regulatory Requirements

The proposed change would increase the amount of security which must be posted by most hunting license issuing agents but should reduce the amount of time and effort required to order licenses.

4. Persons Affected

Hunting license issuing agents who post bonds would be affected by the proposed change.

5. Cost and Paperwork Requirements

The proposed change will result in additional cost to agents for security. At the same time, it should decrease the amount of paperwork and ordering costs. Also, agents did receive a fee increase when the license fees were increased.

Effective Date

The proposed changes will be effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

Contact Person

For further information on the proposed changes, contact Thomas R. Littwin, Director, Bureau of Law Enforcement, (717) 783-6526, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

VERNON R. ROSS,
Executive Director

Fiscal Note: 48-114. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 141. HUNTING AND TRAPPING
Subchapter A. GENERAL**

§ 141.4. Hunting hours.

During open hunting seasons, wild birds and animals may be taken 1/2 hour before sunrise to sunset unless further restricted.

* * * * *

(2) Raccoon, fox, skunk, opossum, coyote and weasel may be taken any hour, day or night, except during restricted periods in paragraph [(2)] (1), and woodchuck, coyote, opossum, skunk and weasel may not be hunted prior to 12 noon during the spring gobbler season.

* * * * *

**CHAPTER 143. HUNTING AND FURTAKER
LICENSES**

Subchapter B. APPOINTMENT OF AGENTS

§ 143.27. Conditions for appointment.

A person desiring consideration for appointment as an agent shall meet the following conditions:

* * * * *

(6) Provide security to the Commission in an amount **[not less than \$10,000] at least \$18,000.**

[Pa.B. Doc. No. 99-2043. Filed for public inspection December 3, 1999, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Labor and Industry

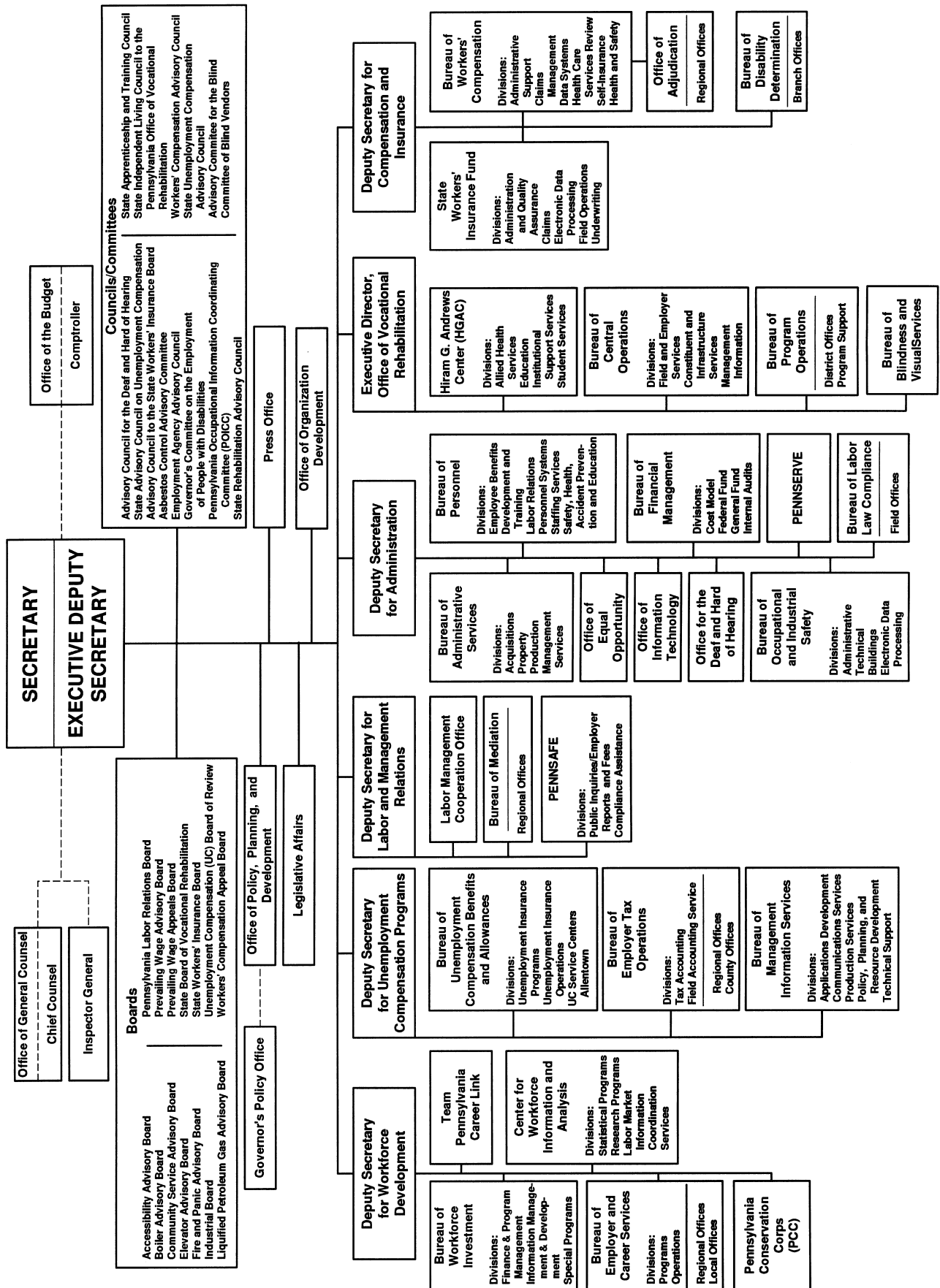
The Executive Board approved a reorganization of the Department of Labor and Industry effective November 16, 1999.

The organization chart at 29 Pa.B. 6121 (December 4, 1999) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 99-2044. Filed for public inspection December 3, 1999, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY



NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, December 8, 1999. The hearing will be part of the Commission's regular business meeting. Both the conference and business meeting are open to the public and will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 9:30 a.m. and will include a presentation on the inaugural meeting of the Water Management Advisory Committee, including a presentation on trends in potable water supplied by the Commission. Additional items for the conference session include a report on hydrologic conditions in the Basin; a report on activities of the Flow Management Technical Advisory Committee; a report on the Flood Response Meeting of December 2, 1999; a report on talks with the U.S. Army Corps of Engineers regarding alternative funding for the Commission and temporary drought storage at F.E. Walter Reservoir; and revisions to the Commission's proposed meeting schedule for 2000.

In addition to the following dockets, which are scheduled for public hearing at the 1 p.m. business meeting, the Commission will address the following: Minutes of the October 27, 1999 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; and public dialogue. The Commission will also consider resolutions to: establish a Monitoring Advisory Committee; renew the Toxics Advisory Committee; expand the Water Quality Advisory Committee by adding members of the regulated community; authorize the Executive Director to contract for a flow management study; and amend Docket No. D-68-20 CP (Revised)—PSE&G Salem Nuclear Generating Station—to extend the expiration date of the docket to provide adequate time for its review.

The subjects of the hearing will be as follows:

1. *Holdover: Bucks County Water & Sewer Authority D-99-13 CP*. A project to rerate the Harvey Avenue sewage treatment plant (STP) from 0.9 million gallons per day (mgd) to 1.2 mgd for treatment of wet weather inflow. Located at the end of Harvey Avenue in Doylestown Borough, Bucks County, PA, the STP will continue to serve Doylestown Township, Doylestown Borough and Plumstead Township. Following high quality secondary treatment, effluent will continue to discharge to Cooks Run, a tributary of Neshaminy Creek.

2. *Telford Borough Authority D-86-7 CP Renewal*. A renewal of a ground water withdrawal project to supply up to 38.6 million gallons (mg)/30 days of water to the applicant's distribution system from Wells No. 1, 3, 4, 5 and 6. Commission approval on September 28, 1988 was extended to 10 years. The applicant requests that the total withdrawal from all wells remain limited to 38.6 mg/30 days. The project is located in Telford Borough, Bucks and Montgomery Counties and West Rockhill Township and Hilltown Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

3. *Panther Creek Partners D-87-66 (Revision 2) Renewal*. A renewal of a water allocation to supply up to 67 mg/30 days to the applicant's 84 megawatt culm-fired power plant which supplies electricity to the Metropolitan Edison power grid. Commission approval on June 27, 1990 was limited to 10 years and will expire unless renewed. No expansion of the approved withdrawal is proposed. A seasonal alternate water source will be provided by the Nesquehoning Borough Authority to offset pretreatment costs of the applicant's existing Lusanne Tunnel mine pool overflow withdrawal. Since treated wastewater will continue to be used to stabilize ash, no effluent discharge will occur. The project is located just west of the Nesquehoning Creek in Nesquehoning Borough, Carbon County, PA.

4. *Borough of East Stroudsburg D-92-72 CP*. A ground water withdrawal project to supply up to 28.2 mg/30 days of water to the applicant's distribution system from new Well No. 4, and to increase the withdrawal limit from all wells from 28.2 mg/30 days to 56.4 mg/30 days. The total combined withdrawal for the applicant's ground water and surface water withdrawals will remain at 75 mg/30 days. The project is located in the Borough of East Stroudsburg, Monroe County, PA.

5. *Citizens Utilities Water Company of Pennsylvania D-99-30 CP*. A project to transfer up to 2 mgd of potable water to the applicant's Glen Alsace District service area through an interconnection with the Reading Area Water Authority Maiden Creek Filtration Plant which draws from Lake Ontelaunee Reservoir; no increase in Reading's allocation is needed. The applicant will continue to serve development in Exeter Township and St. Laurence Borough, and has included design capacity for a projected future service area expansion in Robeson Township, all within Berks County, PA. The applicant currently supplies an average of 1.125 mgd from 17 wells and an existing interconnection with Mount Penn Water Authority, Berks County.

6. *Lonza, Inc. D-99-38*. A project to upgrade and expand the applicant's existing 0.06 mgd industrial wastewater treatment plant (IWTP) to provide Best Available Technology for treatment of 0.08 mgd for the applicant's Riverside Plant organic chemical manufacturing facility located on River Road in Upper Merion Township, Montgomery County, PA. Treated effluent will continue to discharge to the Schuylkill River by way of the Matsunk Creek culvert.

7. *Municipal Authority of the Borough of Minersville D-99-44 CP*. A project to modify the applicant's existing potable water treatment plant residual/wastewater management system by constructing two filter backwash holding tanks to replace the existing slow sand filter process. The 0.11 mgd treated effluent will be conveyed to the applicant's Reservoir No. 3 on Dyer Run, a tributary of the West Branch Schuylkill River, located in Cass Township, Schuylkill County, PA. No expansion of capacity is proposed.

8. *Gladys Brittingham Farm D-99-58*. A ground water withdrawal project to supply a maximum of 5.6 mg/30 days of water for irrigation of the applicant's farm crops from new Wells No. 162541 and 167042 in the Columbia aquifer. The water will irrigate approximately 26 acres of grain and vegetables. The project is located near the Town of Milton, Sussex County, DE.

Proposal to Amend Public Service Electric & Gas Company Docket D-68-20 CP (Revised), Salem Nuclear Generating Station, to extend the expiration date of the docket until 6 months after completion of review and approval by the New Jersey Department of Environmental Protection. The project is located in Lower Alloways Creek Township, Salem County, NJ and will continue to withdraw and discharge in the Delaware River in Water Quality Zone 5.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500, Ext. 221 concerning docket-related questions. Persons wishing to testify at this

hearing are requested to register with the Secretary at (609) 883-9500, Ext. 203 prior to the hearing.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Secretary, Pamela M. Bush, at (609) 883-9500, Ext. 203 or the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 99-2045. Filed for public inspection December 3, 1999, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 23, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-2-99	Penn Laurel Financial Corp., Curwensville, to acquire 100% of the voting shares of Clearfield Bank & Trust Company, Clearfield	Curwensville	Withdrawn

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-2-99	Clearfield Bank & Trust Company, Clearfield, and CSB Bank, Curwensville Surviving Institution—Clearfield Bank & Trust Company, Clearfield, with a change in corporate title to "Penn Laurel Bank & Trust Company"	Clearfield	Withdrawn

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-99	Millennium Bank Malvern Chester County	1200 Broadcasting Road Wyomissing Berks County	Opened
11-1-99	First County Bank Doylestown Bucks County	100 N. Buckstown Drive Suite E-205 Langhorne Bucks County	Opened
11-15-99	Fulton Bank Lancaster Lancaster County	Meadowlands Executive Center 3413A Concord Road Springettsbury Twp. York County	Opened
11-16-99	Millennium Bank Malvern Chester County	653 Skippack Pike Blue Bell Montgomery County	Approved
11-16-99	Harris Savings Bank Harrisburg Dauphin County	41 N. Londonderry Sq. Palmyra Lebanon County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-16-99	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Oaklands Corporate Ctr. Suite 100 470 John Young Way Exton Chester County	Opened
11-17-99	The Peoples State Bank East Berlin Adams County	Intersection of Eastern Boulevard & Kingston Rd. York York County	Filed
11-17-99	Mauch Chunk Trust Company Jim Thorpe Carbon County	1202 North Street Jim Thorpe Carbon County	Filed
11-22-99	The Fidelity Deposit & Discount Bank Dunmore Lackawanna County	1500 Main Street Blakely Lackawanna County	Approved

Branch Relocation/Consolidation

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-18-99	First Commonwealth Bank Indiana Indiana County	<i>Into:</i> 709 Hannah Street Houtzdale Clearfield County <i>From:</i> Route 53 Houtzdale Clearfield County	Effective
11-15-99	Firsttrust Savings Bank Flourtown Montgomery County	<i>To:</i> Pike Plaza Shopping Center Second Street Pike and Madison Avenue Southampton Bucks County <i>From:</i> Hampton Square Shopping Center 376 Second Street Pike Southampton Bucks County	Effective
11-22-99	Firsttrust Savings Bank Flourtown Montgomery County	<i>To:</i> 1515 Market Street Philadelphia Philadelphia County <i>From:</i> 1601 JFK Boulevard Philadelphia Philadelphia County	Approved

SAVINGS ASSOCIATIONS**Voluntary Dissolutions**

<i>Date</i>	<i>Name of Association</i>	<i>Action</i>
11-23-99	The Market Street Building and Loan Association Philadelphia Philadelphia County	Certificate of Election for voluntary dissolution filed. Effective as of the close of business November 23, 1999.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
11-16-99	Philadelphia Telco Credit Union, Trevose, and Trident Credit Union, Philadelphia Surviving Institution—Philadelphia Telco Credit Union, Trevose	Trevose	Approved

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-2046. Filed for public inspection December 3, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated the EPA, Region III, Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications for National Pollutant Discharge Elimination System (NPDES) permit to discharge to State waters.

Southeast Regional Office: Regional Manager, Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.

PA 0050521. Sewage, **Green Lane-Marlborough Joint Authority**, P. O. Box 45, Green Lane, PA 18054.

This application is for renewal of an NPDES permit to discharge treated sewage from Green Lane-Marlborough Joint Authority's sewage treatment plant in Green Lane Borough, **Montgomery County**. This is an existing discharge to Perkiomen Creek.

The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 0.2 mgd are as follows:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20		40
Phosphorus (as P) (4-1 to 10-31)	2.0		4.0
Total Residual Chlorine (Issuance—Year 2)	0.8		2.0
(Year 3—Expiration)	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	monitor/report		monitor/report (inst. min.)
pH	within limits of 6.0—9.0 standard units at all times		

Other Conditions:

The EPA waiver is in effect.

PA 0021181. Sewage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This application is for renewal of an NPDES permit to discharge treated sewage from the Green Street STP in Doylestown Township, **Bucks County**. This is an existing discharge to UNT Neshaminy Creek.

The receiving stream is classified for the following uses: trout stocking fishery, high quality trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 and 002, based on an average combined flow of 0.7 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Nitrate and Nitrate (as N)			
(7-1 to 10-31)	9.5		19.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0		4.0
Total Residual Chlorine (Before 4/30/2002)	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

Other Conditions:

The EPA waiver is in effect.

PA 0057827. Sewage, **Eugene McKenna**, 131 Germany Hollow Road, Honeybrook, PA 19320.

This application is for issuance of an NPDES permit to discharge treated sewage from the McKenna residence STP in West Brandywine Township, **Chester County**. This is a new discharge to UNT to Indian Run.

The receiving stream is classified for the following uses: high quality trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Residual Chlorine	not detected	
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

PA 0010855. Industrial waste, **E. I. DuPont DeNemours and Company, Inc.**, 1007 Market Street, Wilmington, DE 19898.

This application is for renewal of an NPDES permit to discharge stormwater and noncontact cooling water from the facility in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to the Schuylkill River.

The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for stormwater Outfalls 002, 003 and 004 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			monitor/report
COD			monitor/report
Oil and Grease			monitor/report
pH			monitor/report
Total Suspended Solids			monitor/report
Total Kjeldahl Nitrogen			monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Phosphorus			monitor/report
Fecal Coliform			monitor/report
Dissolved Iron			monitor/report

The proposed effluent limits for Monitoring Points MP 201 and MP 301 based on average flows of 0.06 and 0.135 mgd respectively are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

PA 0063142. Industrial waste, SIC: 4953, **Chrin Brothers, Inc.**, 400 South Greenwood Avenue, Easton, PA 18042.

This proposed action is for issuance of an NPDES permit to discharge treated groundwater from a remediation system into an unnamed tributary of the Lehigh River in Williams Township, **Northampton County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Keystone Water Company, Yardley District, located on the Delaware River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.288 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001	0.002	0.0025
Total BETX*	0.1	0.2	0.25
Carbon Tetrachloride	0.001	0.002	0.0025
Chlorobenzene	0.001	0.002	0.0025
Chloroform	0.001	0.002	0.0025
1,1-Dichlorethane	0.001	0.002	0.0025
1-2-Dichloropropane	0.001	0.002	0.0025
Methylene Chloride	0.001	0.002	0.0025
Tetrachloroethylene	0.001	0.002	0.0025
Trichloroethylene	0.001	0.002	0.0025
Vinyl Chloride	0.001	0.002	0.0025
1,4-Dichlorobenzene	0.001	0.002	0.0025
1,2-Dichloethene	0.001	0.002	0.0025
Bis (2-ethylhexyl) Phthalate	0.001	0.002	0.0025
Isophorone	0.001	0.002	0.0025
Lead	0.008	0.016	0.20
Total Manganese	2.00	4.00	5.00
Chromium, VI	0.012	0.024	0.03
Mercury	0.001	0.002	0.0025
Total Dissolved Solids	monitor only		
Iron			
(Total)	monitor only		
(Dissolved)	monitor only		
pH	6.0 to 9.0 standard units at all times.		

PA 0063975. Sewerage, **Thompson Borough**, Water Street, Thompson, PA 18465.

This proposed action is for issuance of an NPDES permit to discharge treated sewage into Starruca Creek in Thompson Borough, **Susquehanna County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is at the PA/NY State Border located on the Susquehanna River.

The proposed effluent limits for Outfall 001, based on a design flow of .03 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N (5-1 to 10-31)	11.0		22.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH		6.0 to 9.0 standard units at all times	
Total Residual Chlorine	1.0		2.30

The EPA waiver is in effect.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PA 0088307. Sewage, SIC: 9179, **Snyders, LLP**, R. D. 1, Box 178, Glen Rock, PA 17327.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to Conodoguinet Creek, in North Middleton Township, **Cumberland County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Carlisle Borough Water Treatment Facility located in North Middleton Township. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0035 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	0.5	1.6
Dissolved Oxygen		minimum of 5.0 at all times
pH		from 6.0 to 9.0 inclusive
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 100,000/100 ml as a geometric average

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0088234. Franklin Family Farms, Inc., 419 West High Street, Elizabethtown, PA 17022.

Franklin Family Farms, Inc. has submitted an application to the Department of Environmental Protection (Department) for an individual NPDES permit relating to an existing concentrated animal feeding operation (CAFO). The CAFO is located at 14627 Lurgan Road, Orrstown, PA 17244, in Lurgan Township, **Franklin County**. The CAFO is located near a tributary to Paxton Run, which is classified as a warm water fishery in the Conodoguinet Creek watershed. No construction of a new manure storage facility is proposed as the applicant proposes to continue to use two existing manure storage facilities.

The CAFO is an existing 2,800 sow to finish operation with 1,303 animal equivalent units.

The existing manure storage consists of a two stage HDPE lagoon system having a total capacity of 2.47 million gallons providing for a leak detection system meeting the requirements of the Department's Final Strategy for Meeting Federal Requirements for Controlling the Water Quality Impacts of Concentrated Animal Feeding Operations. The CAFO will be operated so that there will be no release or discharge to waters of the Commonwealth under normal operating conditions. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. On the basis of preliminary review and application of lawful standards and regulations and the Final CAFO Strategy, the Department proposes to issue an individual NPDES permit for the operation subject to the terms and conditions, effluent limitations, monitoring and reporting requirements specified in the draft permit. The proposed determination is tentative.

The permit application and proposed draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The Environmental Protection Agency (EPA) permit review waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit. The Administrator of EPA Region III may review or object to any proposed NPDES permit actions.

Persons wishing to comment on the proposed permit are invited to submit written comment to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based. A public meeting/hearing may be held if the Department considers the public response or interest significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.

PA 0003565. Industrial waste, SIC: 2895, **Morgan Advanced Materials and Technology, Inc.**, 441 Hall Avenue, St. Marys, PA 15857.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Mill Creek in Eulalia Township, **Potter County**.

The receiving stream is classified for the following uses: high quality cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the PA/NY border approximately 36 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.5 mgd, are:

Parameter	Concentration (mg/l)			Mass (lbs/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
Oil and Grease	15		30		
Total Copper	report				
Total Iron	report				
Total Antimony	report				
Total Molybdenum	report				
pH	6.0—9.0 at all times.				
Temperature (°F)	variable monthly limitations				

The EPA waiver is in effect.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

PA 0004979. Industrial waste, SIC: 2821, 2869 and 2818, **Neville Chemical Company**, 2800 Neville Road, Pittsburgh, PA 15225.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water, stormwater, leachate and untreated cooling water stormwater from Neville Chemical in Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, (Main Channel and Back Channel), classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Robinson Township Authority, located at Mile 8.8—Ohio River, 2.43 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.134 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
BOD ₅	29.075	77.164	26.000	69.000	
TSS	46.967	150.964	42.000	135.000	
Acenaphthene	0.24	0.066	0.022	0.059	
Acenaphthylene	0.024	0.066	0.022	0.059	
Acrylonitrile	0.107	0.271	0.096	0.242	
Anthracene	0.024	0.066	0.022	0.059	
Benzene	0.042	0.152	0.037	0.136	
Benzo(a)Anthracene	0.024	0.066	0.022	0.059	
3,4-Benzo-Fluoranthene	0.025	0.068	0.023	0.061	
Benzo(k)Fluoranthene	0.024	0.066	0.022	0.059	
Benzo(a)Pyrene	0.025	0.068	0.023	0.061	
Bis(2-Ethylhexyl)phthalate	0.115	0.312	0.103	0.279	
Carbon Tetrachloride	0.020	0.043	0.018	0.038	
Boron	268.00	318.00	monitor and report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Chlorobenzene	0.016	0.032	0.015	0.028	
Chloroethane	0.016	0.300	0.104	0.268	
Chloroform	0.024	0.052	0.021	0.046	
2-Chlorophenol	0.034	0.110	0.031	0.098	
Chrysene	0.024	0.066	0.022	0.059	
Di-N-Butylphthalate	0.030	0.063	0.027	0.057	
1,2-Dichlorobenzene	0.086	0.182	0.077	0.163	
1,3-Dichlorobenzene	0.034	0.049	0.031	0.044	
1,4-Dichlorobenzene	0.016	0.032	0.015	0.028	
1,1-Dichloroethane	0.024	0.066	0.022	0.059	
1,2-Dichloroethane	0.076	0.236	0.068	0.211	
1,1-Dichloroethylene	0.018	0.028	0.016	0.025	
1,2-trans-Dichloroethylene	0.024	0.061	0.021	0.054	
2,4-Dichlorophenol	0.043	0.125	0.039	0.112	
1,2-Dichloropropane	0.171	0.257	0.153	0.230	
1,3-Dichloropropylene	0.033	0.049	0.029	0.044	
Diethylphthalate	0.091	0.228	0.081	0.203	
2,4-Dimethylphenol	0.020	0.040	0.018	0.036	
Dimethylphthalate	0.021	0.053	0.019	0.047	
4,6-Dinitro-o-Cresol	0.087	0.310	0.078	0.277	
2,4-Dinitrophenol	0.080	0.138	0.071	0.123	
2,4-Dinitrotoluene	0.126	0.319	0.113	0.285	
2,6-Dinitrotoluene	0.286	0.717	0.255	0.641	
Ethylbenzene	0.035	0.121	0.032	0.108	
Fluoranthene ²	0.028	0.076	0.025	0.068	
Fluorene	0.024	0.066	0.022	0.059	
Fluoride	1,273.00	1,651.00	monitor and report		
Hexachlorobenzene	0.016	0.032	0.015	0.028	
Hexachlorobutadiene	0.023	0.054	0.020	0.049	
Hexachloroethane	0.024	0.061	0.021	0.054	
Methyl Chloride	0.096	0.212	0.086	0.190	
Methylene Chloride	0.044	0.100	0.040	0.089	
Naphthalene	0.024	0.066	0.022	0.059	
Nitrobenzene	0.030	0.076	0.027	0.068	
Fluoroborate	monitor and report		monitor and report		
2-Nitrophenol	0.046	0.077	0.041	0.069	
4-Nitrophenol	0.081	0.139	0.072	0.124	
Phenol	0.016	0.029	0.015	0.026	
Phenanthrene	0.024	0.066	0.022	0.059	
Pyrene	0.028	0.075	0.025	0.067	
Tetrachloroethylene	0.024	0.063	0.022	0.056	
Toluene	0.029	0.090	0.026	0.080	
Total Chromium	1.241	3.097	1.110	2.770	
Total Copper	1.622	3.780	1.450	3.380	
Total Cyande	0.470	1.343	0.420	1.20	
Total Lead	0.358	0.771	0.320	0.690	
Total Nickel	1.889	4.451	1.690	3.980	
Total Zinc	1.174	2.919	1.050	2.610	
1,2,4-Trichlorobenzene	0.076	0.157	0.068	0.140	
1,1,1-Trichloroethane	0.024	0.061	0.021	0.054	
1,1,2-Trichloroethane	0.024	0.061	0.021	0.054	
Trichloroethylene	0.024	0.061	0.021	0.054	
Vinyl Chloride	0.116	0.300	0.104	0.268	
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: existing discharge to Outfall 003. Design discharge flow of 2.76 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Temperature	110°F				
Benzene	monitor/report				
Toluene	monitor/report				
Xylenes	monitor/report				
Vinyl Chloride	monitor/report				

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Styrene			monitor/report		
Hexachlorobenzene			monitor/report		
pH	not less than 6.0 nor greater than 9.0 standard units				

Outfall 004: existing discharge to the Ohio River—Main Channel. Design discharge flow of 0.432 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
TSS			30	60	
Acetone			monitor/report		
Benzene			0.032	0.064	
Cis-1,2-Dichloroethylene			0.004	0.008	
Ethylbenzene			0.035	0.070	
Methylene Chloride			0.065	0.13	
Methyl Isobutylketone			0.091	0.18	
Naphthalene			0.548	1.09	
Toluene			0.028	0.056	
P-Xylene			0.057	0.114	
Total Iron				7	
pH	not less than 6.0 nor greater than 9.0				

Part C: Other requirements

Part C.7 was added to the permit to require additional data to be provided on Boron, Fluoride and Fluoroborate at Internal Outfall 101.

Part C.13 requires permittee to submit a Pollution Reduction Report (Outfall 201).

The EPA waiver is not in effect.

PAS206109. Industrial waste, SIC: 6552, **City Center of Duquesne—R.I.D.C. of S. W. PA, Keystone Commons**, 600 Braddock Avenue, Turtle Creek, PA 15145.

This application is for issuance of an NPDES permit to discharge process water, sewage cooling water and stormwater from the City Center of Duquesne in Duquesne Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls 101, 201, 301, 401, 501, 601 and 701: new discharge, design flow of n/a mgd. (stormwater)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TSS			30		60
Oil and Grease			15		30
Total Dissolved Solids			monitor/report		
Sulfate			monitor/report		
Iron			monitor/report		
(Total)			monitor/report		
(Dissolved)			monitor/report		
Aluminum			monitor/report		
Fluorene			monitor/report		
Manganese			monitor/report		
Formaldehyde			monitor/report		
Benzo(a)Pyrene			monitor/report		
PCB-1248			monitor/report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA 0030350. Sewage, **Borough of Indian Lake**, 1301 Causeway Drive, Central City, PA 15926.

This application is for renewal of an NPDES permit to discharge treated sewage from the Lakewood Sewage Treatment Plant in Indian Lake Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Indian Lake (Clear Run), which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Hooversville Municipal Authority.

Outfall 001: existing discharge, design flow of 0.012 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0094137. Sewage, **RJ & L Limited Partnership**, Suite 401, 1301 York Road, Lutherville, MD 21093.

This application is for renewal of an NPDES permit to discharge treated sewage from the Suburban Terrace Mobile Home Park Sewage Treatment Plant in Hopewell Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Boggs Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Municipal Authority.

Outfall 001: existing discharge, design flow of 0.023 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.0			6.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.01			0.03
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0098388. Sewage, **Patusan Trading Company, Inc.**, 5490 Route 217 Highway North, Blairsville, PA 15717.

This application is for a renewal of an NPDES permit to discharge treated sewage from Patusan Trading Company Sewage Treatment Plant, in Blacklick Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Greys Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal W.W. located on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.00084 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			2.1
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0205982. Sewage, **Wise's Mobile Terrace**, R. D. 3, Box 104A, Ebensburg, PA 15931.

This application is for renewal of an NPDES permit to discharge treated sewage from the Wise's Mobile Home Terrace Sewage Treatment Plant in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Howells Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.02 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0216208. Sewage, **John F. Kotun**, 319 Anderson Hozak Road, Clinton, PA 15026.

This application is for renewal of an NPDES permit to discharge treated sewage from Superior Mobile Home Court STP in Raccoon Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to Unnamed Tributary of Service Creek, which are classified as a High Quality-Cold Water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ambridge Water Authority's Ambridge (Bacon) Reservoir on Service Creek.

Outfall 001: existing discharge, design flow of 0.0025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.2			6.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0218308. Sewage, **Outside-In School of Experiential Education**, R. D. 1, Box 293, Bolivar, PA 15923.

This application is for issuance of an NPDES permit to discharge treated sewage from the Outside-In School of Experiential Education STP in Fairfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Hannas Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Latrobe Municipal Authority.

Outfall 001: new discharge, design flow of 0.045 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen				
(5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			2.5
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			
The EPA waiver is in effect.				

Northwest Regional Office: Regional Manager, Water Management, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.

PA 0002372. Industrial waste, SIC: 2999, **Allied Signal Specialty Chemical Astor Corporation—Wax Manufacturing**, R. D. 3, Box 56A, Smethport, PA 16749.

This application is for renewal of an NPDES permit, to discharge treated industrial waste, noncontact cooling water and stormwater to Potato Creek in Keating Township, **McKean County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA/NY state line located approximately 12 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.431 mgd, are:

Outfall No. 101

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
BOD ₅	25.5	48	65
COD	128	248	250
TSS	21	33	52.5
Oil and Grease	8	15	20
NH ₃ -N	10.5	23	26.5
Dissolved Iron			7
pH		6.0 to 9.0 at all times	

XX—monitor and report

The proposed discharge limits, based on a design flow of 3.66 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	<i>Daily/Measured Flow</i>		
Temperature		<i>Maximum Allowable (Daily Average) Discharge Temperature (°F)</i>	
January 1—31		98.4	
February 1—October 15		110	
October 16—31		106.5	
November 1—15		110	
November 16—30		83.1	
December 1—31		89.1	
pH		6.0 to 9.0 at all times	

The proposed discharge limits, based on a design flow of 0.525 mgd, are:

Outfall No. 002

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	<i>Daily/Measured Flow</i>		
TOC		5	10

	<i>Maximum Allowable (Daily Average) Discharge Temperature (°F)</i>
Temperature	
January 1—31	98.4
February 1—October 15	110
October 16—31	106.5
November 1—15	110
November 16—30	83.1
December 1—31	89.1
pH	6.0 to 9.0 at all times

1. Chemical Additives Special Condition.
2. 2°F change in stream temperature over 1 hour period prohibition condition.

The EPA waiver is not in effect.

PA 0100951. Industrial waste, **Pennsylvania Electric Company**, 2800 Pottsville Pike, Reading, PA 19640.

This application is for renewal of an industrial waste permit to discharge treated flyash leachate from a landfill to Four Mile Creek in Harborscreek Township, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, there is no potable water supply to consider, as the stream discharges into Lake Erie.

The proposed effluent limits for Outfall 001, based on an average design flow of 0.060 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	70	
Iron			
(Total)	3.5	7.0	
(Dissolved)	1.5		7.0
Phenols		monitor and report	
Beryllium		monitor and report	
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

PA 0222992. Sewage. **Reed Oil Company—Last Minit Mart**, 511 Montgomery Avenue, P. O. Box 2328, New Castle, PA 16102.

This application is for a new NPDES permit to discharge treated sewage to the Dry/Intermittent Tributary to Beaver Run in East Lackawannock Township, **Mercer County**. This is a new discharge.

The receiving water is classified for the following uses: trout stocking fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority intake on the Beaver River located at Eastvale, approximately 37 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.0019 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	10	20
Ammonia-Nitrogen		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH		6.0—9.0 at all times

The EPA waiver is in effect.

PA 0104078. Sewage. **Anderson Mobile Home Park**, 128 N. Maysville Road, Greenville, PA 16125.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Big Run in West Salem Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Reynolds Water Company and Big Run located near Shenango approximately 3 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .00315 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

Southcentral Regional Office: Water Management Program, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0033774	Craig F. Dallmeyer Regent Acres Mobile Home Park 4775 N. Sherman St. Ext. 1 Box 1 Mt. Wolf, PA 17347	York County Newberry Township	UNT to Fishing Creek	TRC
PA 0029041	Camp Living Water 320 S. Maple Ave. Greensburg, PA 15601	Bedford County Napier Township	Shawnee Branch	TRC
PA 0070271	Maidencreek Township Authority P. O. Box 529 Blandon, PA 19510-0529	Berks County Ontelaunee Twp.	Willow Creek	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection. Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protests. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Industrial waste and sewage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications should contact Mary DiSanto at (717) 705-4732.

A. 2172401, amendment 99-1. Sewage, submitted by **East Pennsboro Township**, 98 South Enola Drive, Enola, PA 17025, in East Pennsboro Township, **Cumberland County** to rerate their existing wastewater treatment plant was received in the Southcentral Region on November 5, 1999.

A. 6785418, amendment 99-1. Sewage, submitted by **York City Sewer Authority**, c/o Blakey, Yost, Bupp & Schaumann, 17 East Market Street, York, PA 17401, Manchester Township, **York County** to make minor upgrades to the treatment plant was received in the Southcentral Region on November 12, 1999.

A. 3899403. Sewage, submitted by **North Londonderry Township Sewer Authority**, 655 East Ridge Road, Palmyra, PA 17078, in North Londonderry Township, **Lebanon County** to construct the Olde Stone Way Pumping Station was received in the Southcentral Region on November 12, 1999.

A. 2177403, amendment 99-1. Sewage, submitted by **Mt. Holly Springs Municipal Authority**, 200 Harman Street, Mt. Holly Springs, PA 17065, in Mt. Holly Springs

Borough, **Cumberland County** to modify their existing permit was received in the Southcentral Region on November 15, 1999.

A. 2299408. Sewage, submitted by **David Martin**, 914 South 13th Street, Harrisburg, PA 17104, Londonderry Township, **Dauphin County** to construct a small flow sewage treatment system was received in the Southcentral Region on November 17, 1999.

A. 2299409. Sewage, submitted by **David Martin**, 914 South 13th Street, Harrisburg, PA 17104, Londonderry Township, **Dauphin County** to construct a small flow sewage treatment system was received in the Southcentral Region on November 17, 1999.

Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

General Permit No. PAG08-4815. Biosolids. Submitted by **Mifflinburg Borough Municipal Authority**, 333 Chestnut Street, Mifflinburg, PA 17844. The application was received by the Northcentral Regional Office on November 1, 1999. This application is for the beneficial use of Non-Exceptional Quality Sewage Sludge by land application.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

A. 0499405. Sewerage. **AER Landscaping**, P. O. Box 1832, Cranberry Township, PA 16066. Application for the construction and operation of a small flow sewage treatment plant to serve the AER Self Storage located in New Sewickley Township, **Beaver County**.

A. 6599414. Sewerage. **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642-2018. Application for the construction and operation of a sewage pumping station to serve the Ardara Road/Masters Lane located in North Huntingdon Township, **Westmoreland County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

WQM Permit No. 2599420. Sewage. **Municipal Authority of the Borough of Edinboro**, 124 Meadville Street, Edinboro, PA 16412-2502. This project is for the construction and operation of dechlorination facilities and the rerating of the organic loading capacity of the existing treatment plant in the Borough of Edinboro, **Erie County**.

WQM Permit No. 6299414. Sewage. **Kinzua/Warren County Joint Authority**, P. O. Box 412, Clarendon, PA 16313. This project is for the construction and operation of a wastewater collection system to serve Mead Township and Clarendon Borough, **Warren County**.

WQM Permit No. 6286201-T1, Amendment No. 1. Industrial waste. **Waste Treatment Corporation**, 1 Harmar Street, P. O. Box 1561, Warren, PA 16365. This project is for the modification and operation of an existing treatment facility in the City of Warren, **Warren County**.

WQM Permit No. 4399427. Sewage. **Chris Kirkland**, 987 Taylor Avenue, Masury, OH 44438. This project is for

the construction of a single residence sewage treatment plant in West Salem Township, **Mercer County**.

INDIVIDUAL PERMITS (PAS)

NPDES INDIVIDUAL

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. The proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision of 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day permit will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the office noted above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.

NPDES Permit PAS10-G388. Stormwater. **Wilmer L. Hostetter and Joyce L. Hostetter**, 481 Limestone Road, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in East Nottingham Township, **Chester County**, to East and West Branch Big Elk Creek.

NPDES Permit PAS10-G389. Stormwater. **Carl Wright**, 532 Bryn Mawr Avenue, Swarthmore, PA, has applied to discharge stormwater from a construction activity located in West Bradford Township, **Chester County**, to Broad Run.

NPDES Permit PAS10-G390. Stormwater. **William S. Hoffman**, 1035 Schuylkill Road, Phoenixville, PA 19460, has applied to discharge stormwater from a construction activity located in East Vincent Township, **Chester County**, to French Creek.

NPDES Permit PAS10-G391. Stormwater. **RP Group, Inc.**, 725 Talamore Drive, Ambler, PA 19002, has applied to discharge stormwater from a construction activity located in Schuylkill Township, **Chester County**, to Tributary to Schuylkill River.

NPDES Permit PAS10-G392. Stormwater. **Tim Nilon and Doris Cloud**, P. O. Box 281, New London, PA 19360, has applied to discharge stormwater from a construction activity located in Lower Oxford Township, **Chester County**, to West Branch Big Elk Creek.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Pike County Conservation District, District Manager, HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

NPDES Permit PAS10V026. Stormwater. **Pennsylvania Department of Transportation**, SR 0006, Sect. 406, Attn: Robert Doble, Assistant Dist. Engr., Design, P. O. Box 111, Scranton, PA 18501, has applied to discharge stormwater from a construction activity located in Palmyra Township, **Pike County**, to Wallenpaupack Creek.

Luzerne County Conservation District, District Manager, 485 Smith Pond Road, Lehman, PA 18627-0250, (570) 674-7991.

NPDES Permit PAS10R034. Stormwater. **Landview Properties, Inc.**, P. O. Box 1188, Marshalls Creek, PA 18335, has applied to discharge stormwater from a construction activity located in Bear Creek Township, **Luzerne County**, to a tributary to Bear Creek.

SAFE DRINKING WATER

Applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. 3699509. Public water supply. **Crystal Spring Bottles Water Facility**, East Hempfield Township, **Lancaster County**. *Responsible Official:* Suntory Water Group Inc., 2141 Powers Ferry Rd., Marietta, GA 30067. *Type of Facility:* Addition of a mineral injection line and a fluoridation line to the existing facility. Project will also involve the addition of a second truck unloading station for spring water. *Consulting Engineer:* Gary J. Toplak PE, Crouse & Company, 400 Penn Center Blvd., Suite 600, Pittsburgh, PA 15235. Application received: September 22, 1999.

Permit No. 3699510. Public water supply. **McKesson Water Products Co.**, Clay Township, **Lancaster County**. *Responsible Official:* Peter M. Riley, 3280 East Foothill Blvd., Suite 115, Pasadena, CA 91107. *Type of Facility:* The addition of Well No. 6 as a new source for the bottled water facility. Well will be approved for 80 gpm withdrawal. *Consulting Engineer:* Rettew Assoc. Inc., Mark S. Snyder, Project Engineer, 3020 Columbia Ave., Lancaster, PA 17603. Application received: October 13, 1999.

Southwest Regional Office: Regional Manager, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

0299508. The Municipal Authority of the Borough of Oakmont, 721 Allegheny Avenue, P. O. Box 73, Oakmont, PA 15139. Cleaning and painting of the Magill Standpipe serving West Deer Township, **Allegheny County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

Acknowledgment of Notices of Intent to Remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6027.908).

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the site(s) identified below proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified below, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which

the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notices of Intent to Remediate:

Southeast Regional Office: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

Former Faulkner Toyota, Bensalem Township, **Bucks County**. Michael Bingaman, Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and petroleum hydrocarbons and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on May 24, 1999.

The Former Canada Dry Facility, City of Philadelphia, **Philadelphia County**. Peter D. Beyer, P.G., Environmental Resources Management, Inc., 855 Springdale Drive, Exton, PA 19341, has submitted a Notice of Intent to Remediate site groundwater contaminated with lead, solvents, BTEX, MTBE and petroleum hydrocarbons. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on October 29, 1999.

CHEMO GRAPHICS, Whitpain Township, **Montgomery County**. Thomas J. Brady, IV, 510 Heron Drive, Suite 306, P. O. Box 521, Bridgeport, NJ 08014, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Norristown Times Herald* on November 5, 1999.

Northeast Regional Field Office: Joseph A. Brogna, Regional Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Sun Pipeline Company—Hess Mountain Site, Conyngham Township, **Luzerne County**. Tiffani L. Doerr, Associate Geologist, Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, has submitted a Notice of Intent to Remediate (on behalf of her client, Sunoco, Inc.) concerning the remediation of site groundwater found to have been contaminated with petroleum hydrocarbons and BTEX (benzene, toluene, xylene and ethylbenzene) compounds. The applicant proposes to remediate the site to meet the Statewide health standard.

Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 43466S49590 (Bacon Street), City of Pottsville, **Schuylkill County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard.

Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 63982S47834 (Corner of Clay and North Halst Streets), City of Allentown, Lehigh County. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard.

Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 704-4705.

Mid-State Chemicals, Allegheny Township, Blair County. Advent Environmental, Inc., One Poston Road, Suite 320, Charleston, SC 29407, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on October 26, 1999.

Mid-State Chemicals, Allegheny Township, Blair County. Advent Environmental, Inc., One Poston Road, Suite 320, Charleston, SC 29407, has submitted a Notice of Intent to Remediate site groundwater contaminated with ammonia, nitrate and nitrite. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on October 26, 1999.

Defense Distribution Depot Susquehanna PA, SWMU No. 6, Salvage Yard, Fairview Township, York County. Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* and the *Harrisburg Patriot News*.

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

GPU Energy Punxsutawney District Office, 500 Pine St., Punxsutawney, PA 15767, Borough of Punxsutawney, County of Jefferson, has submitted a Notice of Intent to Remediate groundwater and soil. The site has been found to be contaminated with lead, BTEX, PHCs and MTBE. The applicant proposes to remediate the site to meet the Statewide health and site-specific standard. The Notice of Intent to Remediate was published in the *Spirit Newspaper* on November 3, 1999.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate or close solid waste processing or disposal area or site.

Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

A.100934. Blue Ridge Landfill, IESI PA Blue Ridge Landfill Corporation (P. O. Box 399, Scotland, PA

17254). Application for permit renewal for a site in Greene Township, **Franklin County.** Application determined to be administratively complete in the Regional Office November 10, 1999.

AIR QUALITY

Public Notice

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

The Department of Environmental Protection (DEP) has developed an "integrated plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

66-303-003B: American Asphalt Paving Co. (500 Chase Road, Shavertown, PA 18708), for operation of a batch asphalt plant in Falls Township, Wyoming County.

35-313-011: Metkote Laminated Products, Inc. (Keyser Avenue and Union Street, Taylor, PA 18517), for operation of a metal/vinyl lamination line in Taylor Borough, **Lackawanna County**.

45-320-003B: Mack Printing Co. (1991 Northampton Street, Easton, PA 18042), for operation of Printing Line No. 55 at 34 North Crystal Street, East Stroudsburg, **Monroe County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

41-303-006A: Glenn O. Hawbaker, Inc. (450 East College Avenue, Bellefonte, PA 16823), for operation of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Fairfield Township, **Lycoming County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

OP-04-00600: MJ Mining Co. (1021 Whitestown Road, Butler, PA 16001), for operation of coal crushing and screening at Mine 1 in Greene Township, **Beaver County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-028G: Armstrong Cement and Supply Co. (100 Clearfield Road, Cabot, PA 16023), for operation of a stone elevator in West Winfield, **Butler County**.

PA-10-171A: Butler Color Press (Bonnie Brook Industrial Park, P. O. Box 31, Butler, PA 16003), for operation of a web offset heatset printing press in Butler and Summit Townships, **Butler County**.

PA-16-132A: Temple Inland Forest Products Corp. (One Fiberboard Avenue, Shippensburg, PA 16254), for operation of a regenerative thermal oxidizer in Paint Township, **Clarion County**.

PA-24-012A: Carbide/Graphite Group, Inc. (800 Theresia Street, St. Marys, PA 15857), for operation of coke and graphite material handling in St. Marys, **Elk County**.

PA-33-160A: Reynoldsville Casket Co. (5th Street Extension, P. O. Box 68, Reynoldsville, PA 15851), for operation of color and clearcoat paint booths in Reynoldsville, **Jefferson County**.

PA-37-051B: Reactive Metals and Alloys Corp. (West Pittsburgh Plant, Route 168, P. O. Box 366, West Pittsburgh, PA 16160), for operation of magnesium grinding in Taylor Township, **Lawrence County**.

PA-42-176B: Allegheny Medium Density Fiberboard, Limited Partnership (Hutchins Road, R. D. 1, Box 266, Kane, PA 16735), for operation of a sander dust system in Sargeant Township, **McKean County**.

62-312-029A: United Refining Co. (Bradley and Dobson Streets, P. O. Box 780, Warren, PA 16365), for operation of Tanks 430 and 432 in Warren, **Warren County**.

PLAN APPROVALS

Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-317-022: Hershey Foods Corp. (Hazleton Plant, Humboldt Industrial Park, P. O. Box 340, Hazleton, PA 18201), for construction of Line 5 pan polishing operation in Hazle Township, **Luzerne County**.

40-328-003: UGI Development Co. (c/o Allegheny Energy, 10435 Downsview Pike, Hagerstown, MD 21740), for construction of a single cycle turbine at the Hunlock Station, Hunlock Township, **Luzerne County**.

40-313-033B: Coates Electrographics, Inc. (Country Club Road, P. O. Box 160, Dallas, PA 18612), for construction of a toner production line in Dallas Township, **Luzerne County**.

39-317-012C: Friskies Petcare (2050 Pope Road, Allentown, PA 18104), for modification of a pet food process in South Whitehall Township, **Lehigh County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

07-05003A: Norfolk Southern Railway Co. (Juniata Locomotive Shop, 200 North 4th Avenue, Altoona, PA 16601), for installation of a locomotive truck paint spray booth controlled by dry filters and a traction motor overhaul cartridge collection unit in the Juniata Locomotive Shop in Logan Township, **Blair County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

49-309-002A: Watsontown Brick Co. (P. O. Box 68, Watsontown, PA 17777), for construction of a brick tunnel kiln and associated air cleaning devices (a two stage lime and sodium bicarbonate injection system and a fabric collector for the control of hydrogen fluoride and hydrogen chloride emissions) as well as for the construction of a dryer, a hammermill, screens, conveyors, a pug mill and a surface coater and associated air cleaning devices (two fabric collectors) in Delaware Township, **Northumberland County**. The hammermill, screens, and the like are subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources. Hydrogen fluoride and hydrogen chloride have been designated as hazardous air pollutants by the Federal Environmental Protection Agency.

49-318-032: Norka Mfg., Inc. (103 East Fifth Street, Building 8, Watsontown, PA 17777), for construction of a wood furniture finishing operation (a spray booth) in the Borough of Watsontown, **Northumberland County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-0062A: Slippery Rock University (Slippery Rock, PA 16057-1326), for modification of Boiler No. 1 and No. 2 at the maintenance facility in Slippery Rock, **Butler County**. This modification will result in the reduction of NOx and particulate emissions. The facility will be required to comply with fugitive, particulate matter, odor and visible emission standards of 25

Pa. Code Chapter 123. The facility will conduct stack tests to confirm compliance with the particulate emission standards. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code § 86.31—34 and § 77.121—23 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52, and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity, and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submit-

ting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Coal Applications Received

54733020C10. Lehigh Coal and Navigation Company (P. O. Box 311, Tamaqua, PA 18201), correction to an existing anthracite surface mine operation in Tamaqua, Coaldale, Nesquehoning, Lansford Boroughs, **Schuylkill and Carbon Counties**, affecting 7,596.0 acres, receiving stream—Little Schuylkill River and Panther Creek. Application received November 12, 1999.

54840209R3. Mazaika Coal Company (R. R. 4, Box 391, Tamaqua, PA 18252), renewal of an anthracite surface mine, coal refusing reprocessing operation in Rush Township, **Schuylkill County**, affecting 24.0 acres, receiving stream—Little Schuylkill. Application received November 15, 1999.

40940101R. Pioneer Aggregates, Inc. (202 Main Street, Laflin, PA 18702), renewal of an anthracite surface mine in Laflin Borough and Plains Township, **Luzerne County**, affecting 117.0 acres, receiving stream—Susquehanna River. Application received November 16, 1999.

40990101. Hazleton Shaft Corporation, (P. O. Box 435, Hazleton, PA 18201), commencement, operation and restoration of an anthracite surface mine operation and coal preparation plant facility in Hazle Township and the City of Hazleton, **Luzerne County** affecting 481.0 acres, receiving stream—Hazle and Nescopeck Creeks. Application received November 19, 1999.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

56911302. RoxCoal, Inc. (1576 Stoystown Rd., P. O. Box 149, Friedens, PA 15541), to revise the permit for the Longview Mine in Shade Township, **Somerset County** to add five ventilation boreholes and associated surface acreage, no additional discharges. Application received October 28, 1999.

56911602. Elton Coal Co. (509 15th St., Windber, PA 15963), to renew the permit for the Huskin Run Tipple in Shade Township, **Somerset County** to renew existing permit, no additional discharges. Application received November 3, 1999.

Knox District Office, P. O. Box 669, Knox, PA 16232.

16950101. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip operation in Clarion and Limestone Townships, **Clarion County** affecting 43.3 acres. Receiving streams: Two unnamed tributaries of Piney Creek to Piney Creek to the Clarion River to the Allegheny River. Application for reclamation only. Application received November 17, 1999.

37840104. Ambrosia Coal & Construction Co. (P. O. Box 422, Edinburg, PA 16116). Renewal of an existing bituminous surface strip, auger and tipple refuse disposal operation in North Beaver Township, **Lawrence County**,

affecting 400.0 acres. Receiving streams: Three unnamed tributaries to Hickory Run to the Mahoning River to the Beaver River. Application received November 18, 1999.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

65920106R. M. B. Energy, Inc. (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1310). Renewal application received for continued reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 61.9 acres. Receiving streams: Stony Run and an unnamed tributary to Stony Run. Renewal application received: November 10, 1999.

65960111. Sosko Coal Company, Inc. (R. R. 3, Box 330, Mt. Pleasant, PA 15666). Revision received to change the land use on the lands of Frank P. Allegra from forestland to pastureland on an existing bituminous surface mine located in East Huntingdon Township, **Westmoreland County**, affecting 53.5 acres. Receiving streams: unnamed tributaries of Buffalo Run to Buffalo Run. Revision application received: November 16, 1999.

03990109. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Wayne Township, **Armstrong County**, proposed to affect 58.0 acres. Receiving streams: unnamed tributaries to South Fork Pine Creek and South Fork Pine Creek to Pine Creek to the Allegheny River. Application received: November 16, 1999.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS APPLICATIONS

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), requires the state to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317 as well as relevant state requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the Federal Water Pollution Control Act.

Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E23-391. Encroachment. Atlantic Pipeline, Fort Mifflin Marine Terminal, Philadelphia, PA 19153. To construct and maintain two new Mooring Dolphins 1A and 15A at the existing Berth A and Berth B facilities connected to the existing dolphins by a catwalk supported by ten 12-inch diameter concrete filled pipe pilings. The Mooring Dolphins will consist of 23-foot by 17-foot reinforced concrete platforms each supported by approximately sixteen, 14-inch diameter concrete filled pipe pilings. These activities are located at the Fort Mifflin Terminal located on Hog Island Road along the right bank of the Delaware River (Woodbury, NJ-PA Quadrangle N: 21.5 inches; W: 13.3 inches) in Tinicum Township, **Delaware County** and the City and **County of Philadelphia**. This permit also authorizes the maintenance of all previous mooring and docking facilities authorized under Permit E2378713T-1.

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.

EA54-003NE. Encroachment. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To backfill four existing waterbodies totaling 1.86 acres in conjunction with Abandoned Mine Reclamation project OSM 54 (3648) 101.1, Blackwood West. (Minersville, PA Quadrangle N: 2.0 inches; W: 14.0 inches), in Reilly Township, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

EA40-006NE. Encroachment. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To backfill one existing waterbody totaling 0.43 acre in conjunction with Abandoned Mine Reclamation project OSM 40 (3748) 101.1, East Askam. (Wilkes-Barre West, PA Quadrangle N: 13.5 inches; W: 9.25 inches), in Hanover Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E21-299. Encroachment. Pinehurst Hills, 2171 Tall Oaks Lane, York, PA 17403. To construct and maintain three 54-inch diameter reinforced concrete pipe by 110 feet stream enclosure and to fill in 0.072 acre of de minimis wetland to construct Eliza Way for the proposed housing development called Watts Tract located about 2,000 feet north of the Good Hope Road and Smith Drive intersection (Harrisburg, PA Quadrangle N: 5.5 inches; W: 16.5 inches) in Hampden Township, **Cumberland County**.

E21-302. Encroachment. UGI Utilities, Inc., 1500 Paxton Street, P. O. Box 3565, Harrisburg, PA 17015. To construct and maintain a 4-inch diameter gas line to be fastened at the downstream side of the Bridge Road bridge (SR 1015) across the Conodoguinet Creek to supply gas to customers (Harrisburg West, PA Quadrangle N: 4.9 inches; W: 10.4 inches) in East Pennsboro Township, **Cumberland County**.

E36-682. Encroachment. Bent Creek Country Club, 2345 Quarry Road, Lititz, PA 17543. To construct and maintain a 20-foot span and a 160-foot span footbridge supported on 18-inch diameter concrete pilaster bases

spaced at 10-foot centers across the Little Conestoga Creek (WWF) located at the Bent Creek Country Club for pedestrian access between the golf course (Lancaster, PA Quadrangle N: 22.0 inches; W: 15.0 inches) in Manheim and East Hempfield Townships, **Lancaster County**.

Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.

E18-283. Encroachment. **James Eppley, Chief**, Bureau of Facility Design, P. O. Box 8451, Harrisburg, PA 17754. To remove the existing culverts and construct and maintain 46 plastic 18-inch and 24-inch 30-foot long culvert pipes with their associated outfalls that comprise the stream crossing and drainage pipes for Abes Road and Hyner Run Road that are in or outfall to the main branches and the tributaries of Abes Run and Left Branch Hyner Run, respectively. The encroachments are located upstream of the confluence of the left and right branch of Hyners Run on the above mentioned roads (Slate Run, PA Quadrangle N: 1.0 inch; W: 15.0 inches) in Chapman Township, **Clinton County**. This project proposes to permanently impact a maximum of 1,800 linear feet of Abes Run and Left Branch Hyner Run, which are designated a cold water fisheries.

E18-287. Encroachment. **Dennis J. Castonguay**, International Paper Company, P. O. Box 268, Lock Haven, PA 17745-0268. To remove the existing structure and to construct and maintain an elliptical corrugated metal pipe 76 inches high by 117 inches wide by 60 feet long in the Pennsylvania Canal to provide a travel way to the International Paper Company. The project is located off Park Street at the southwest corporate limits of the City of Lock Haven (Lock Haven, PA Quadrangle N: 0.25 inch; W: 11.0 inches) in Castanea Township, **Clinton County**. The project does not impact on wetlands while impacting approximately 90 feet of waterway. The Pennsylvania Canal is a warm water fisheries stream.

E19-196. Encroachment. **PA Dept. of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754. To 1) rehabilitate and maintain a Pony Truss Bridge with a single span of 110-foot 5-inches and an underclearance of 9-foot 6-inches across Fishing Creek, 2) place and maintain 75 feet of rock slope protection on the right bank of Culley Run, both of which are located 0.75 mile west of SR 254 from its intersection with SR 487 (Benton, PA Quadrangle, N: 9.41 inches; W: 1.74 inches) in Benton Township, **Columbia County**. This project proposes to temporarily impact Fishing Creek by constructing a temporary cofferdam, permanently impact 110 feet of Fishing Creek by maintaining the bridge and to permanently impact 75 feet of Culley Run by placing the rock protection. Both streams are classified as cold water fisheries.

E41-455. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a concrete box culvert with a span of 12 feet and underclearance of 10 feet in an unnamed tributary to West Branch Susquehanna River located on S. R. 2012, Section 003 approximately 1.5 miles east of the boundary of South Williamsport Borough (Montoursville South, PA Quadrangle N: 20.3 inches; W: 10.8 inches) in Armstrong Township, **Lycoming County**. Estimated stream disturbance is 100 feet; stream classification is CWF.

E55-159. Encroachment. **Paul Heise, Pennsylvania Department of Transportation**, P. O. Box 218, 715

Jordan Avenue, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a single span concrete box beam bridge skewed 80° right ahead with a normal span of 40 feet and a minimum underclearance of 6 feet and a temporary stream crossing with four 48-inch diameter pipes. The project is located on SR 1003 over Dry Run approximately 0.5 mile east of the intersection of SR 1003 with RT 104 (Middleburg, PA Quadrangle N: 16.5 inches; W: 6.0 inches) in Centre Township, **Snyder County**. The project will not impact on wetlands while impacting approximately 50 feet of waterway. Dry Run is a cold water fisheries stream.

E59-394. Encroachment. **Wal-Mart Realty**, 2001 Southeast Tenth Street, Bentonville, AR 72712-6489. To install and maintain rock streambank protection in and along Canoe Camp Creek (a cold water fishery); and to construct, operate and maintain a stormwater outfall along the same waterway for the expansion of an existing commercial facility. The streambank protection work shall consist of regrading existing streambanks to a minimum slope of 1-foot vertical to 3-feet horizontal and installing a minimum of 500-feet of R-7 riprap. The stormwater outfall shall be constructed with a 30-inch diameter polyethylene pipe with a concrete headwall. The project will not impact wetlands while impacting 500 feet of waterway. The project is located along the eastern right-of-way of S. R. 0015 approximately 500 feet north of S. R. 2027 and S. R. 0015 intersection (PA Quadrangle N: 6.1 inches; W: 9.2 inches) in Richmond Township, **Tioga County**.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E04-268. Encroachment. **Bennett P. Crisi**, 4016-B Route 151, Aliquippa, PA 15001. To construct and maintain stream crossing consisting of two 4-foot diameter culverts and three 2-foot diameter culverts in the channel of Longs Run (unnamed tributary to Raccoon Creek) (WWF) to provide access to applicant's property located on the south side of Longs Run Road (T-531), approximately 1,600 feet east from the intersection of Longs Run Road (T-531) and T-494 (Aliquippa, PA Quadrangle N: 10.1 inches; W: 14.5 inches) in Independence Township, **Beaver County**.

E63-479. Encroachment. **New Eagle Borough Municipal Sewer Authority**, 157 Main Street, New Eagle, PA 15067. To place and maintain fill on the left bank of the Monongahela River for the purpose of constructing a sewage treatment plant located on the north side of Main Street, approximately 1,800 feet west from the intersection of Main Street and S. R. 136 (Monongahela, PA Quadrangle N: 15.3 inches; W: 9.9 inches) in New Eagle Borough, **Washington County**.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

E10-309. Encroachment. **Saxonburg District Sportsman Association**, 322 Bear Creek Road, Sarver, PA 16055. To remove the existing structure and to construct and maintain a steel I-beam bridge having a single clear span of 21.5 feet and a maximum underclearance of 4.5 feet across a tributary to Little Buffalo Creek (HQ-CWF) to provide private access to the Saxonburg District Sportsman Association. The project is located across a tributary to Little Buffalo Creek approximately 4,000 feet northwest of the intersection of SR 2018 and Bear Creek Road in the village of Sarver (Curtisville, PA Quadrangle N: 21.1 inches; W: 0.2 inch) located in Buffalo Township, **Butler County**.

E20-432. Encroachment. **PA DCNR**, Western Engineering Office, 195 Park Road, P. O. Box 387, Prospect, PA 16052-0387. To amend Permit No. E20-432 which authorized the Pennsylvania Department of Conservation and Natural Resources to construct and maintain a 60-foot-wide by 525-foot-long rock armored earthfill breakwater with an attached 280-foot-long floating wave attenuator and a 150-slip floating dock marina in Pymatuning Reservoir at the Espyville Boat Livery located along North Lake Road (T-302) approximately 800 feet north of SR 285 (Andover, OH-PA Quadrangle N: 19.6 inches; W: 0.35 inch) in North Shenango Township, **Crawford County**. The requested amendment is to remove the floating wave attenuator and to construct and maintain an additional 325 feet of rock armored solid fill breakwater.

E25-596. Encroachment. **PA Dept. of Transportation**, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge having a single clear span of 51.0 feet and an underclearance of 10.0 feet on SR 5 across Raccoon Creek (CWF, MF). The project is located on SR 5 across Raccoon Creek approximately 0.3 mile southwest of the intersection of SR 5 and SR 3009 (East Springfield, PA Quadrangle N: 16.2 inches; W: 11.5 inches) located in Springfield Township, **Erie County**.

E25-599. Encroachment. **PA Dept. of Transportation**, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a single clear span of 72 feet and an average underclearance of 6.91 feet on SR 3013 across East Branch Conneaut Creek (CWF, MF). The project is located on SR 3013 across East Branch Conneaut Creek approximately 0.28 mile north of the intersection of SR 3013 and SR 6 in the Borough of Albion (Albion, PA Quadrangle N: 3.6 inches; W: 16.0 inches) located in Borough of Albion, **Erie County**.

E62-358. Encroachment. **Bingaman and Son Lumber Inc.**, East Main Street, Box 247, Kreamer, PA 17833. To place and maintain approximately 192 cubic yards of fill within the 100-year-floodway of a tributary to West Branch Tionesta Creek. This fill will allow for placement of a concrete pad around kilns. The project is located along a tributary to West Branch Tionesta Creek at 22 East Brown Avenue in the Borough of Clarendon approximately 1,700 feet northwest of the intersection of SR 2006 and SR 6 (Clarendon, PA Quadrangle N: 5.5 inches; W: 13.5 inches) located in the Borough of Clarendon, **Warren County**.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631-641) relating to the acquisition of rights to divert waters of the Commonwealth.

Southwest Regional Office: Regional Manager, Water Supply Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

WA30-504A. Water Allocation. **Municipal Authority of the Borough of Carmichaels**, 104 North Pine Street, Carmichaels, PA 15320. The applicant is requesting the right to withdraw 1 million gallons per day from the Monongahela River, **Greene County**.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions under The Clean Streams Law (35 P. S. §§ 691.1-691.1001).

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.

WQM Permit No. 4699202. Industrial waste. **Centre Square Land Corporation**, P. O. Box 337, West Chester, PA 19381-0377. Applicant is granted approval for the construction and operation of a groundwater cleanup treatment system to serve the Former Centre Square Citgo Station, located in Whitpain Township, **Montgomery County**.

NPDES Permit No. PA0057819. Industrial waste. **New Hanover Township**, 2943 North Charlotte Street, Gilbertsville, PA 19525-9718, is authorized to discharge from a facility located in New Hanover Township, **Montgomery County** into Swamp Creek.

NPDES Permit No. PA0042889. Sewage. **Octara Area School District**, P. O. Box 500, Atglen, PA 19310-0500, is authorized to discharge from a facility located in West Fallowfield Township, **Chester County**, to an unnamed tributary of Knight Run.

NPDES Permit No. PA0050075. Sewage. **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489, is authorized to discharge from a facility located at Chesterdale Wastewater Treatment Plant in Willistown Township, **Chester County** to an unnamed tributary to Hunters Run.

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Permit No. 5299401. Sewerage. **Pike County Commissioners**, Pike County Administration Building, 506 Broad Street, Milford, PA 18337. Permit to construct and operate a new sanitary sewer system to serve the proposed Pike County Complex in Blooming Grove Township, **Pike County**.

Permit No. 5499404. Sewerage. **Northeastern Schuylkill Joint Municipal Authority**, P. O. Box 1326, R. R. 1, Hometown, PA 18252. Permit to construct and operate a sewage collection and conveyance system, and associated treatment plant, located in Rush and Ryan Townships, **Schuylkill County**.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

Permit No. PA0110361. Sewerage. **Freedom Township Water & Sewer Authority**, Municipal Building, P. O. Box 156, East Freedom, PA 16637, is authorized to discharge from a facility located in Blair Township, **Blair County** to the receiving waters named Frankstown Branch.

Permit No. PA0038130. Sewerage. **Mont Alto Borough**, Box 427, Three North Main Street, Mont Alto, PA 17237, is authorized to discharge from a facility located in Quincy Township, **Franklin County** to the receiving waters named West Branch Antietam Creek.

Permit No. PA0034304. Industrial waste/Sewerage. **Cambridge Lee Industries**, P. O. Box 14026, Reading, PA 19612-4026, is authorized to discharge from a facility located in Ontelaunee Township, **Berks County** to the receiving waters named Schuylkill River.

Permit No. 0699409. Sewerage. **Womelsdorf Sewer Authority**, 101 High Street, Womelsdorf, PA 19567. This permit approves the construction of sewage treatment facilities in Heidelberg Township, **Berks County**.

Permit No. 0799404. Sewerage. **Freedom Township Water & Sewer Authority**, P. O. Box 156, Municipal Building, East Freedom, PA 16637. This permit approves the construction of sewage treatment facilities in Freedom Township, **Blair County**.

Permit No. 6799405. Sewerage. **Stewartstown Borough Authority**, Six North Main Street, P. O. Box 415, Stewartstown, PA 17363. This permit approves the construction of pump station in Stewartstown Borough, **York County**.

Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

NPDES Permit No. PA0114332. Industrial waste. **Dresser Industries Inc.**, 41 Fisher Avenue, Bradford, PA 16701. Renewal granted to NPDES industrial waste to discharge from facility located in Delmar Township, **Tioga County**.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

NPDES Permit No. PA0095231. Industrial waste. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701-1755, is authorized to discharge from a facility located at the Arcadia Water Treatment Plant, Montgomery Township, **Indiana County** to receiving waters named Unnamed Tributary to Cush Creek.

NPDES Permit No. PA0095265. Industrial. **Indiana County Municipal Services Authority** is authorized to discharge from a facility located at Heilwood Water Treatment Plant, Pine Township, **Indiana County** to receiving waters named unnamed tributary to Yellow Creek.

NPDES Permit No. PA0025810. Sewage. **Shade-Central City Joint Authority**, 429 Sunshine Avenue, Central City, PA 15926, is authorized to discharge from a facility located at Shade-Central City Sewage Treatment Plant, Shade Township, **Somerset County**, to receiving waters named Dark Shade Creek.

NPDES Permit No. PA0033626. Sewage. **West Greene School District**, R. D. 5, Box 36B, Waynesburg, PA 15370, is authorized to discharge from a facility located at the West Greene Middle School/High School Sewage Treatment Plant, Center Township, **Greene County** to receiving waters named Hargus Creek.

NPDES Permit No. PA0033642. Sewage. **West Greene School District**, R. D. 5, Box 36B, Waynesburg, PA 15370, is authorized to discharge from a facility located at Graysville Elementary School Sewage Treatment Plant, Gray Township, **Greene County** to receiving waters named Grays Fork.

NPDES Permit No. PA0090450. Sewage. **Bullskin Township Swim Club, Inc.**, P. O. Box 274, Mt. Pleasant, PA 15666, is authorized to discharge from a facility located at Swim Pool Club STP, Bullskin Township, **Fayette County** to receiving waters named Latta Run.

NPDES Permit No. PA0090557. Sewage. **Extendicare Health Facilities, Inc.**, 257 Georgetown Road, Beaver Falls, PA 15010, is authorized to discharge from a facility located at Beaver Valley Nursing and Rehabilitation Center STP, South Beaver, **Beaver County** to receiving waters named Painters Run.

NPDES Permit No. PA0218243. Sewage. **David Hribar**, R. R. 3, Box 40B, New Florence, PA 15944, is authorized to discharge from a facility located at the Hribar Single Residence STP, Ligonier Township, **Westmoreland County** to receiving waters named Bergstrom Hollow Run.

NPDES Permit No. PA0218251. Sewage. **Westmoreland County Department of Public Works** is authorized to discharge from a facility located at Magistrate Office and Washington Township Firehall STP, Washington Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Beaver Run.

Permit No. 0299416. Sewerage. **Deer Creek Drainage Basin Authority**, Box 148, Little Deer Creek Road, Russellton, PA 15076. Construction of pump station/force main located in West Deer Township, **Allegheny County** to serve Deer Run Pump Station.

Permit No. 6599408. Sewerage. **David Hribar**, R. R. 3, Box 40B, New Florence, PA 15944. Construction of single residence sewage treatment plant located in Ligonier Township, **Westmoreland County** to serve Hribar Residence.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.

NPDES Permit No. PA0002461. Industrial waste. **DMD/Dresser Industries, Inc., Bradford Operations**, 41 Fisher Avenue, Bradford, PA 16701, is authorized to discharge from a facility located in the City of Bradford, **McKean County** to the Tunungwant Creek.

NPDES Permit No. PA0101079. Sewage. **Oak Tree Land Company**, P. O. Box 154, Pulaski, PA 16143, is authorized to discharge from a facility located in Shenango Township, **Mercer County** to an unnamed tributary to the Shenango River.

NPDES Permit No. PA0032549. Sewage. **Presque Isle State Park, Department of Conservation and Natural Resources**, Bureau of State Parks, P. O. Box 387, Prospect, PA 16052, is authorized to discharge from a facility located in Millcreek Township, **Erie County** to Presque Isle Bay of Lake Erie.

NPDES Permit No. PA0102067. Sewage. **Nystrom Martin Subdivision**, P. O. Box 271, Sugar Grove, PA 16350, is authorized to discharge from a facility located in Sugar Grove Township, **Warren County** to an unnamed tributary to Stillwater Creek.

NPDES Permit No. PA0104451. Industrial waste. **Erie Forge and Steel, Inc.**, 1341 West 16th Street, Erie, PA 16502, is authorized to discharge from a facility located in the City of Erie, **Erie County** to Cascade Creek.

NPDES Permit No. PA0222755. Industrial waste. **New Castle Battery MFG Co.**, 3601 Wilmington Road, New Castle, PA 16105, is authorized to discharge from a facility located in Neshannock Township, **Lawrence County** to an unnamed tributary to the Shenango River.

NPDES Permit No. PA0102784—Amendment No. 1. Industrial waste. **Waste Treatment Corporation**, P. O. Box 1561, 1 Harmar Street, Warren, PA 16365, is authorized to discharge from a facility located in the City of Warren, **Warren County** to the Allegheny River.

NPDES Permit No. PA0033120. Sewage. **Eisenhower Middle/Senior High School, Warren County School District**, 14 Hospital Drive, Building 11, Warren, PA 16365-4885, is authorized to discharge from a facility located in Farmington Township, **Warren County** to Fairbanks Run.

NPDES Permit No. PA0222925. Sewage, **Kenneth E. and Tina M. White**, 2275 West Washington Street, Bradford, PA 16701, is authorized to discharge from a facility located in Corydon Township, **McKean County** to Unnamed Tributary to the Willow Creek.

WQM Permit No. 4399423. Sewerage, **Wilbur J. Taylor SRSTP**, 7 Bell Road, Grove City, PA 16127. Construction of Wilbur J. Taylor SRSTP located in Pine Township, **Mercer County**.

WQM Permit No. 4399424. Sewerage, **Renee E. Titus SRSTP**, 494 McCullough Road, Sharpsville, PA 16150. Construction of Renee E. Titus SRSTP located in Jefferson Township, **Mercer County**.

WQM Permit No. 4399425. Sewerage, **Christopher F. Stewart SRSTP**, 2763 Highland Road, Hermitage, PA 16148. Construction of Christopher F. Stewart SRSTP, located in City of Hermitage, **Mercer County**.

WQM Permit No. 4399421. Sewerage, **Robert J. Thomas SRSTP**, R. R. 1, Box 217, Polk, PA 16342. Construction of Robert J. Thomas SRSTP, located in City of Hermitage, **Mercer County**.

WQM Permit No. 4299405. Sewerage, **Kenneth E. and Tina M. White SRSTP**, 2275 West Washington Street, Bradford, PA 16701. Construction of Kenneth E. and Tina M. White SRSTP, located in Corydon Township, **McKean County**.

INDIVIDUAL PERMITS

(PAS)

The following NPDES Individual Permits for discharges of stormwater from industrial activities have been issued.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS212206	Pennsylvania Perlite Corp. 1428 Mauch Chunk Road Bethlehem, PA 18018	Northampton County City of Bethlehem	Monocacy Creek

Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10F077	David L. Nevins 671 Boalsburg Rd. Boalsburg, PA 16827	Centre Patton Township	Unt. Buffalo Run

INDIVIDUAL PERMITS

(PAR)

APPROVALS TO USE NPDES AND OTHER GENERAL PERMITS

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection (Department) has reviewed the NOIs and determined that

they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangement made for copying at the contact office noted.

The Department has acted on the following requests for coverage under the specified General Permit as follows:

*List of
General Permit Type*

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-10	General Permit for Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
East Caln Township Chester County	PAR10-G341	East Caln Township P. O. Box 232 Downingtown, PA 19335	Unnamed Tributary to Brandywine Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
West Goshen Township Chester County	PAR10-G345	Fernhill Corporation 700 West Downingtown Park, Suite 105-205 West Chester, PA 19380	Taylor Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Eddystone Borough Delaware County	PAR10-J163	Wolfson Verrichia Graphic 621 East Germantown Pike, Suite 305 Norristown, PA 19401-2444	Crum Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Chichester Delaware County	PAR10-J167	The Buccini/Pollin Group, Inc. 21 Industrial Boulevard New Castle, DE 19720	Bezors Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Luzerne County Wright Township	PAR10R194	Greater W-B Indust. Fund, Inc. 2 Public Square Wilkes-Barre, PA 18710	Watering Run	(570) 674-7991
Luzerne County Hanover Township	PAR10R189	Klein Candy Co. 100 West End Rd. Wilkes-Barre, PA 18702	Solomon's Creek	(570) 674-7991
Lackawanna County Blakely Borough	PAR10N097	Edward and James Zipay Route 6, Box 174 Eynon, PA 18403	Lackawanna River	Lackawanna CD (570) 281-9495

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Schuylkill County Mahanoy Township	PAR105795	FABCON FABCON, East LLC 5100 Telghman St. Suite 155 Allentown, PA 18104-9114	Mahanoy Creek	Schuylkill CD (570) 622-3742
Carroll Township York County	PAR-10-Y420	Northern York School District Dr. Brian Small 149 S. Baltimore Street Dillsburg, PA 17019-1032	Bermudian Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y418	Farmbrook Industrial Park Lot 440B Chian Wall LLC 2700 Water Street York, PA 17403	UNT to Little Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAR-10-Y409	Orchard Hills Orchard Hills Real Estate Inc. 450 Spangler Road New Oxford, PA 17350	UNT to Kreutz Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Hellam Township York County	PAR-10-Y424	Delta Packaging Bldg. & Parking Delta Packaging 100 Shoe House Road York, PA 17402	Kreutz Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Franklin Township Carroll Township Latimore Township Huntingdon Township York County	PAR-10-Y422	PA Dept. of Transportation SR0015-009 2140 Herr Street Harrisburg, PA 17103	Bermudian Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lehigh County City of Allentown	PAR202213	Olson Technologies, Inc. 160 Walnut Street Allentown, PA 18101	Lehigh River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Westmoreland County New Kensington	PAR806186	R.A.M. Terminals, Inc. One Fifth Street New Kensington, PA 15068-6537	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Snyder County Monroe Township	PAR704805	Gerald Mroczkowski Sunbury Generation LLC 677 Baeten Rd. Green Bay, WI 54304	Rolling Green Run UNT To Susquehanna River	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

General Permit Type—PAG-4

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Jefferson Township Mercer County	PAG048631	Renee E. Titus 494 McCullough Road Sharpsville, PA 16150	Tributary Daley Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Township Mercer County	PAG048630	Wilbur J. Taylor 7 Bell Road Grove City, PA 16127	Tributary Wolf Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Horton Township Elk County	PAG048328	Raymond L. Romain R. R. 1, Box 295-0 Whetstone Road Brockport, PA 15823	Whetstone Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Shenango Township Mercer County	PAG048302	Carmen C. Davano 3521 Hubbard Road West Middlesex, PA 16159	Unnamed Tributary to Shenango River	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAG048635	Christopher F. Stewart 2763 Highland Road Hermitage, PA 16148	Big Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAG048636	Robert J. Thomas R. R. 1, Box 217 Polk, PA 16342	Big Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048310	Richard S. Chapman 1730 Timber Drive Cambridge Springs, PA 16402	Tributary of Little Conneauttee	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Upper Paxton Township Dauphin County	PAG-08-3544	Millersburg Area Authority 101 West Street Millersburg, PA 17061	N/A	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Northumberland County Delaware Township	PAG084813	McEwensville Municipal Authority P. O. Box 50 McEwensville, PA 17749		Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-9**Facility Location**County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream,
Body of Water
or Site Name
and Address**Contact Office and
Telephone No.*Armstrong County
Sugarcreek Township

PAG096105

Timothy Gerstbrein
d/b/a A and A Services
R. D. 1
Cowansville, PA 16218Southwest Region Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000**SEWAGE FACILITIES ACT
PLAN APPROVAL****Plan revision approval granted November 17, 1999,
under the Pennsylvania Sewage Facilities Act (35
P. S. §§ 750.1—750.20).***Regional Office: Water Management Program Manager,
Southcentral Region, 909 Elmerton Avenue, Harrisburg,
PA 17110-8200.**Location: Hartslog Court Mobile Home Park, Porter
Township, Huntingdon County.*

The approved plan revision provided for: expansion of
existing mobile home park from 43 units to 220 units
with corresponding upgrade/expansion of an existing sew-
age treatment facility.

Any required NPDES Permits or Water Management
Permits must be obtained in the name of the owner.

SAFE DRINKING WATER**Permits issued for construction and operation un-
der the Pennsylvania Safe Drinking Water Act (35
P. S. §§ 721.1—721.17).***Regional Office: Northcentral Field Operations, Envi-
ronmental Program Manager, 208 West Third Street, Suite
101, Williamsport, PA 17701.*

**Permit No. Minor Amendment (Construction and
Operation).** The Department issued a construction and
operation permit to **Wellsboro Municipal Authority**, 28
Crafton Street, Wellsboro, PA 16901, Wellsboro Borough,
Tioga County. This permit authorizes the replacement
of a vertical turbine pump with a 5 HP Grundfos
submersible pump in Mann's Well (Well No. 15). This
submersible pump has a capacity of 60 gallons per minute
at 200 feet of total dynamic head.

Permit No. 4146426. The Department issued an oper-
ating permit to **H2O To Go**, 49 Village Square Drive,
Marietta, PA 17547, to operate 11 water vending ma-
chines within the Northcentral Region under special
permit-by-rule with the latest one being in Milton Bor-
ough, **Northumberland County** at Weis Store No. 7.

Permit No. Minor Amendment. The Department
issued a minor public water supply permit amendment
for operation to **Mahoning Township Municipal Au-
thority**, 1101 Bloom Road, Danville, PA 17821, Mahoning
Township, **Montour County**. This permit authorizes
operation of the Edgewood pump station. The permit was
issued November 17, 1999.

*Southwest Regional Office: Regional Manager, Water
Supply Management, 400 Waterfront Drive, Pittsburgh, PA
15222-4745, (412) 442-4000.*

Permit No. 2699503. Public water supply. **The Mu-
nicipal Authority of the Township of Washington**,
1390 Fayette Avenue, Belle Vernon, PA 15012.

Type of Facility: 2.0 mg concrete (Brownstown) water
storage tank and chlorination building.

Permit for Construction Issued: November 10, 1999.

Permit No. 3299502-E. Public water supply. **Indiana
County Municipal Services Authority**, 827 Water
Street, Indiana, PA 15701.

Type of Facility: Emergency permit for Heilwood Well
No. 2.

Permit Denied: November 18, 1999.

Permit No. 5691502-A1. Public water supply.
Somerset Township Municipal Authority, P. O. Box
247, Somerset, PA 15501.

Type of Facility: Coxes Creek Master Meter.

Permit issued for Operation: November 18, 1999.

Permit No. 3099501. Public water supply. **The Mu-
nicipal Authority of the Borough of Carmichaels**,
104 North Pine Street, Carmichaels, PA 15320.

Type of Facility: 557,821 gallon water storage tank
(Tank No. 5)

Permit issued for Construction: November 12, 1999.

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION****Under Act 2, 1995****Preamble 2****The following final reports were submitted under
the Land Recycling and Environmental Remedia-
tion Standards Act (35 P. S. §§ 6026.101—6026.908.**

Provisions of Chapter 3 of the Land Recycling and
Environmental Remediation Standards Act (Act) require
the Department of Environmental Protection (Depart-
ment) to publish in the *Pennsylvania Bulletin* a notice of
submission of final reports. A final report is submitted to
document cleanup of a release of a regulated substance at
a site to one of the Act's remediation standards. A final
report provides a description of the site investigation to
characterize the nature and extent of contaminants in
environmental media, the basis for selecting the environ-
mental media of concern, documentation supporting the
selection of residential or non-residential exposure fac-
tors, a description of the remediation performed, and
summaries of sampling methodology and analytical re-
sults which demonstrate that the remediation has at-
tained the cleanup standard selected.

For further information concerning the final report,
please contact the Environmental Protection Regional
Office under which the notice of receipt of a final report

appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

Pennypack Realty Co., City of Philadelphia, Philadelphia County. Russell D. Devan, P. G., Environmental Resources Management, 855 Springdale Drive, Exton, PA 19341, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents. The report is intended to document remediation of the site to meet Statewide health and site-specific standards.

Spring Mill Estates North Parcel Site II, Upper Providence Township, Montgomery County. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run II Suite A1, 4050 Skyron Drive, Doylestown, PA 18901, has submitted a Final Report concerning remediation of site soil contaminated with pesticides. The report is intended to document remediation of the site to meet the Statewide health standard.

Upper Nike Property, Schuylkill and Tredyffrin Townships, Chester County. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.

Dixon Brothers Dry Cleaners (Former), City of Pittsburgh, Allegheny County. Maribeth Hook, Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents and PHCs. The report is intended to document remediation of the site to meet the site-specific standard.

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

Silgan Containers Corporation Facility, 165 Railroad Street, Cambridge Springs Township, Crawford County. has submitted a Final Report concerning remediation of site soils and groundwater contaminated with lead and solvents. The report is intended to document remediation of the site to the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6027.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup on a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has acted upon the following plans and reports:

Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

Hyman Korman, Co., City of Philadelphia, Philadelphia County. Carl J. Bones, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site soil contaminated with lead and BTEX. The report demonstrated attainment of the Statewide health standard and was approved by the Department on November 9, 1999.

Major Oil Co., City of Philadelphia, Philadelphia County. Mary Bilicic, Cody Ehlers Group, 140 Sherman Street, Fairfield, CT 06430, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on November 10, 1999.

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Sun Pipeline Company—Luciw Farm Site, Conyngham Township, Luzerne County. Jennifer Stafford, Project Manager, Groundwater & Environmental

Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, submitted a Final Report (on behalf of her client, Sunoco, Inc.) concerning the remediation of site soils found to have been contaminated with petroleum hydrocarbons and BTEX (benzene, toluene, xylene and ethylbenzene) compounds. The report demonstrated attainment of the Statewide health standard and was approved on November 17, 1999.

Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 65136S48011 (Gary Street, between 13th and 14th Streets), City of Bethlehem, Lehigh County. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on November 12, 1999.

Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 63020S47718 (North 6th Street Extension), Whitehall Township, Lehigh County. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101, submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on November 12, 1999.

SOLID AND HAZARDOUS WASTE BENEFICIAL USE DETERMINATIONS

Beneficial use requests withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for municipal and residual waste.

Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653.

Beneficial Use Request No. WMGR038NC004. The Recycling Environmental Group, Inc. (29 Frosty Valley Rd., Bloomsburg, PA 17815). Application for determination of applicability for a tire processing facility located in Hemlock Township, **Columbia County**, was withdrawn from the regional office, by the applicant, on November 19, 1999.

RESIDUAL WASTE PROCESSING FACILITIES

Determination of applicability requested under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and the residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301.

Determination of applicability requested under **General Permit No. WMGR036D001. Global Re-Refining, Ltd.**, P. O. Box 591, Donora, PA 15033. General Permit No. WMGR036 for the processing of used oil and used paraffinic hydraulic oil prior to beneficial use as No. 2 fuel oil, lubricating oil base stock and asphalt base materials. The processing involves preheating, hydrotreating, solids separation, a high and low pressure

phase of gas and liquids separation followed by vacuum distillation. The Department accepted the application as administratively complete on November 22, 1999.

HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

Proposed actions on applications for permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

A. PAD980550412. Lonza, Inc. A draft permit has been prepared for a 10-year renewal and modification to the existing captive hazardous waste operations conducted at Lonza's Riverside Plant located in Upper Merion Township, **Montgomery County**. In addition to the renewal request, Lonza proposes to increase the capacity of their incinerator and to construct up to ten additional waste storage tanks.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate solid waste processing or disposal area or site.

Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

Permit ID No. 300837. Keystone Generating Station Ash/Mine Refuse Disposal Site, GPU Generation, Inc., 1001 Broad Street, Johnstown, PA 15907. Operation of a captive residual waste landfill in Plumcreek Township, **Armstrong County**. Permit providing for the vertical expansion and repermitting under 25 Pa. Code § 287.115 of the East Valley Disposal Area at the Keystone Generating Station Ash/Mine Refuse Disposal Site was issued to GPU Generation, Inc. on November 15, 1999.

AIR QUALITY OPERATING PERMITS

General Plan Approval and Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

GP-43-315: Russell Standard Corp. (1210 Perry Highway, Mercer, PA 16137), on November 3, 1999, for operation of storage tanks (Tank ID 14, 16, 17) in Springfield Township, **Mercer County**.

GP-37-305: Shamrock Minerals Corp. (R. D. 1, New Galilee, PA 16141), on November 15, 1999, for installation of a portable mineral processing plant in Little Beaver Township, Big Beaver Borough, **Lawrence County**.

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

01-310-026B: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), on November 10, 1999, for operation of a rock crushing, screening and conveying system controlled by the Johnson March B fabric collector at the Charmian Plant in Hamiltonban Township, **Adams County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

01-310-031A: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), on November 10, 1999, for operation of a coloring plant controlled by a Donaldson fabric collector at the Charmian Plant in Hamiltonban Township, **Adams County**.

01-310-033A: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), on November 10, 1999, for operation of a rock crushing, drying and transfer system controlled by two fabric collectors at the Charmian Plant in Hamiltonban Township, **Adams County**.

01-310-039B: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), on November 10, 1999, for operation of a coloring plant controlled by the No. 5 Dust Collection System at the Charmian Plant in Hamiltonban Township, **Adams County**.

07-308-001F: Fry Metals, Inc. (4100 Sixth Avenue, Altoona, PA 16602), on November 16, 1999, for operation of a soft metal melting area (39 kettles tin/lead and 6 kettles no lead) controlled by a fabric filter in Altoona City, **Blair County**.

22-310-010D: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105), on November 10, 1999, for operation of a portable limestone crushing plant controlled by wet suppression at the Fiddler's Elbow Quarry on North Union Street in Lower Swatara Township, **Dauphin County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

28-03018: CECO/Taylor Co. (150 Derbyshire Street, P. O. Box V, Chambersburg, PA 17201-0802), on November 15, 1999, for operation of two blowtherm spray booths controlled by Columbus Industries, Inc. dry filters in Chambersburg Borough, **Franklin County**.

28-03020: LamTech, Inc. (5150 Innovation Avenue, Building 8, Chambersburg, PA 17201), on November 15, 1999, for bathroom vanity top manufacturing operations in Greene Township, **Franklin County**.

28-322-001B: Community Refuse Limited d/b/a Mountain View Reclamation (9716 Letzburg Road, Greencastle, PA 17225), on November 15, 1999, for operation of a landfill gas extraction system controlled by an enclosed ground flare at Mountain View Reclamation in Antrim and Montgomery Townships, **Franklin County**.

36-03071: Humane League of Lancaster Cty. (2195 Lincoln Highway East, Lancaster, PA 17602), on November 15, 1999, for operation of two Crawford Equipment Co. animal crematories in East Lampeter Township, **Lancaster County**.

36-05014B: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604), on November 18, 1999, for operation of two aluminum hot rolling mills in Manheim Township, **Lancaster County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-24-009A: Williamette Industries, Inc. (100 Center Street, Johnsonburg, PA 15845), on October 31, 1999, for operation of an air density system in Johnsonburg Borough, **Elk County**.

PA-25-095D: Lord Corp. (Mechanical Products Division, 1635 West 12th Street, P. O. Box 10039, Erie, PA 16514), on October 30, 1999, for operation of a hand spray booth in Erie, **Erie County**.

PA-25-095E: Lord Corp. (Mechanical Products Division, 1635 West 12th Street, P. O. Box 10039, Erie, PA 16514), on October 30, 1999, for operation of an adhesive spray machine in Erie, **Erie County**.

Administrative Amendment of Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

59-304-008B: ACP Mfg. Co., LLC (P. O. Box 9, Blossburg, PA 16912-0068), on November 15, 1999, for operation of various pieces of iron foundry production equipment and associated air cleaning devices (fabric collectors), the construction of which was authorized by Plan Approval 59-304-008, in Lawrence Township, **Tioga County**.

AIR QUALITY

OPERATING PERMITS

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number noted below. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least thirty days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Attn: Eric Gustafson, (814) 332-6940.

10-00079: BNZ Materials, Inc. (191 Front Street, Zelienople, PA 16063), in Zelienople Borough, **Butler County**. The facility's major emission sources include various clay and sawdust storage and handling equipment along with various natural gas fired dryers and kilns. The facility is a major facility due to its potential to emit carbon monoxide.

25-00541: Penn Union Corp. (229 Waterford Street, Edinboro, PA 16412), in Edinboro Borough, **Erie County**. The facility's major emission sources include a perchloroethylene batch cold cleaning degreaser, shot blast and grinding machines, electric induction furnaces and molten metal pouring stations and other miscellaneous natural gas fired process units. The facility is a major facility due to its potential to emit volatile organic compounds and perchloroethylene.

PLAN APPROVALS

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-309-107: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064), on November 16, 1999, for installation of a transfer tower fabric collector at Nazareth Plant I in Lower Nazareth Township, **Northampton County**.

48-309-108: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064), on November 16, 1999, for installation of a clinker loadout station fabric collector at Nazareth Plant I in Lower Nazareth Township, **Northampton County**.

66-315-036: The Procter & Gamble Paper Products Co. (P. O. Box 32, Route 87, South, Mehoopany, PA 18629), on October 29, 1999, for installation of tissue/towel converting equipment in Washington Township, **Wyoming County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

21-317-005B: Purina Mills, Inc. (P. O. Box 66812, St. Louis, MO 63166), on November 12, 1999, for installation of a cyclone and fabric collector to control raw material unloading at the Camp Hill Feed Mill in Hampden Township, **Cumberland County**.

21-317-013C: Purina Mills, Inc. (P. O. Box 66812, St. Louis, MO 63166), on November 12, 1999, for installation of six mineral storage bins controlled by fabric collectors at the Camp Hill Feed Mill in Hampden Township, **Cumberland County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

TVOP-49-00019A: Atlantic Refining & Marketing, owner, and Sunoco, Inc. (R&M), operator (1801 Market Street, Philadelphia, PA 19103), on October 4, 1999, for installation of a second air cleaning device (a refrigerated vapor recovery unit) on a gasoline loading rack in Point Township, **Northumberland County**.

17-305-044: M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701), on October 8, 1999, for construction of a coal crushing, stockpiling and loading facility at the Black Hills No. 2 strip mine in Bell Township, **Clearfield County**. This plant is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

55-302-005C: Wood-Mode, Inc. (One Second Street, Kreamer, PA 17833), on October 12, 1999, for installation of air cleaning devices (two multiclones) on a wood waste-fired boiler in Middlecreek Township, **Snyder County**.

18-313-019E: Croda, Inc. (P. O. Box 178, Mill Hall, PA 17751), on October 28, 1999, for modification of the Super Refined Oils process and for the installation of an air cleaning device (a thermal oxidizer) on said process in Bald Eagle Township, **Clinton County**. This process emits hexane which has been designated as a hazardous air pollutant by the Environmental Protection Agency.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-04-108A: Armstrong World Industries, Inc. (1018 Eleventh Street, P. O. Box 441, Beaver Falls, PA 15010), on November 5, 1999, for operation of TCD exhaust at Beaver Falls Ceiling Plant in Beaver Falls, **Beaver County**.

PA-04-306A: BASF Corp. (370 Frankfort Road, Monaca, PA 15061), on November 5, 1999 for operation of latex products manufacturing at Monaca Site in Potter Township, **Beaver County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-42-176C: Allegheny Medium Density Fiberboard (Hutchins Road, Kane, PA 16735), on November 16, 1999, for modification to Plan Approval PA-42-176B (cross belt sander) in Sargeant Township, **McKean County**.

PA-42-310D: Duferco Farrell Corp. (15 Roemer Boulevard, Farrell, PA 16121), on November 10, 1999, for construction to rebuild the No. 7 Pickle Line in Farrell, **Mercer County**.

PA-20-040A: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335), on November 4, 1999, for construction of a new molding line in Vernon Township, **Crawford County**.

PA-20-040B: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335), on November 4, 1999, for construction to replace an existing baghouse on Disa 2110 molding line in Vernon Township, **Crawford County**.

Plan Approvals transferred under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

21-05021A: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105), on November 18, 1999, for construction of three gasoline storage tanks at the Star Mechanicsburg Terminal in Silver Spring Township, **Cumberland County**.

21-312-021: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105), on November 18, 1999, for modification of the petroleum product loading rack controlled by

a vapor combustion unit at the Mechanicsburg Terminal—Texaco Road in Silver Spring Township, **Cumberland County**. This source is subject to 40 CFR Part 60, Subpart XX—National Emission Standards for Bulk Gasoline Terminal.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-30-120A: Robena, LLC (1145 East South Union Avenue, Suite 100, Midvale, UT 84047), on November 5, 1999, for installation of coal agglomeration at Alicia Facility in Monongahela Township, **Greene County**.

PA-65-889A: Allegheny Energy Resources, Inc. (20 Stanwix Street, Suite 600, Pittsburgh, PA 15222), on November 5, 1999, for installation of LFG recycling facility at Valley Landfill Site in Penn Township, **Westmoreland County**.

PA-11-005B: Republic Technologies Internat'l Inc. (3770 Embassy Parkway, Akron, OH 44333), on October 8, 1999, for installation of bloom/billet caster at Johnstown Plant in Franklin Borough, **Cambria County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-047C: Mine Safety Appliances Co. (1420 Mars Evans City Road, Evans City, PA 16033), on October 31, 1999, for bonding rooms in Forward Township, **Butler County**.

PA-25-267A: American Meter Co. (920 Payne Avenue, P. O. Box 1251, Erie, PA 16512), on November 30, 1999, for rubber curing ovens in Erie, **Erie County**.

PA-37-296A: Select Industries, Inc. (420 Cascade Street, New Castle, PA 16107), on November 30, 1999, for a coating line in New Castle, **Lawrence County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act, Act of May 31, 1945 (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Coal Permits Issued

40763208R3. Popple Brothers Coal Company (P. O. Box 126, Duryea, PA 18642), renewal of an existing coal refuse reprocessing operation in Duryea and Old Forge Boroughs and Ransom Township, **Luzerne and Lackawanna Counties** affecting 130.0 acres, receiving stream—none. Renewal issued November 18, 1999.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

03851302. Rosebud Mining Co. (R. D. 9, Box 379A, Kittanning, PA 16201), to revise the permit for the Rosebud No. 3 Deep Mine in Perry Township, **Armstrong County** to add 5.8 surface acres and revise portal no. 2 surface site, no additional discharges. Permit issued November 15, 1999.

03773706. Keystone Coal Mining Corp. (P. O. Box 219, Shelocta, PA 15774), to renew the permit for the Emilie No. 4 CRDA in Plumcreek Township, **Armstrong County** to renew permit, no additional discharges. Permit issued November 15, 1999.

03871303. TJS Mining, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), to revise the permit for the Darmac No. 2 Mine in Plumcreek Township, **Armstrong County** to add permit and subsidence control plan acres and one vent borehole, no additional discharges. Permit issued November 17, 1999.

Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

32820134. Permit Renewal for reclamation only, **The Arcadia Company, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), for continued restoration of a bituminous strip mine in Grant Township, **Indiana County**, affecting 1,166 acres, receiving stream unnamed tributaries to Little Mahoning Creek, Little Mahoning Creek, unnamed tributary to Cush Creek. Application received July 29, 1999; issued November 12, 1999.

4074SM28. Permit Revision, **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), requesting a stream variance to relocate an unnamed tributary to Bigby Creek to facilitate acid mine drainage treatment/pollution abatement activities, in Summit Township, **Somerset County**, affecting 377.2 acres, receiving stream unnamed tributaries to Bigby Creek. Application received April 16, 1999; issued November 12, 1999.

32990102. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701), commencement, operation and restoration of bituminous strip mine in Brushvalley Township, **Indiana County**, affecting 407.0 acres, receiving stream unnamed tributaries of Ferrier Run to Ferrier Run and unnamed tributaries of Yellow Creek both to Yellow Creek to Two Lick Creek to Conemaugh River. Application received February 17, 1999; issued November 12, 1999.

56693103. Permit Renewal, **Diamond T Coal Company** (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541), for continued restoration of a bituminous-auger strip mine in Stonycreek Township, **Somerset County**, affecting 828.8 acres, receiving stream to unnamed tributary to Lamberts Run; to Lamberts Run; and to Grove Run and unnamed tributary to Grove Run. Application received August 30, 1999; issued November 16, 1999.

56840111. Permit renewal, **Godin & Goden Coal, Inc.** (138 Godin Drive, Boswell, PA 15531), for continued restoration of a bituminous strip mine in Jenner Township, **Somerset County**, affecting 108.4 acres, receiving

stream unnamed tributaries of Quemahoning Creek. Application received September 30, 1999; issued November 16, 1999.

56940104. Transfer from **Zubek, Inc. to Mountaineer Mining Corporation** (1010 Garrett Shortcut Road, Berlin, PA 15530), for continued operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 99.7 acres, receiving stream Tubs Run, Laurel Run. Application received June 28, 1999; issued November 18, 1999.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Small Noncoal (Industrial Mineral) Permits Issued

58992804. Timothy M. Smith (R. R. 3, Box 329E, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry in Apolacon Township, **Susquehanna County** affecting 5.0 acres, receiving stream—none. Permit issued November 17, 1999.

58990837. Robert Wagner (176 Cemetary Street, Archbald, PA 18403), commencement, operation and restoration of a bluestone quarry in New Milford Township, **Susquehanna County** affecting 1.0 acre, receiving stream—Unnamed Tributary to Butler Creek. Permit issued November 18, 1999.

58990828. Joanne A. Himko (R. R. 6, Box 6095, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry in Bridgewater Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued November 19, 1999.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Issued

48990301. IMS Waylite, Inc. (Box 5156, Easton Road, Bethlehem, PA 18015), commencement, operation and restoration of a slag operation in the City of Bethlehem, **Northampton County** affecting 57.0 acres, receiving stream—none. Permit issued November 15, 1999.

48990302. IMS Waylite, Inc. (Box 5156, Easton Road, Bethlehem, PA 18015), commencement, operation and restoration of a slag operation in the City of Bethlehem, **Northampton County** affecting 25.0 acres, receiving stream—none. Permit issued November 15, 1999.

6478NC4C. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), renewal of NPDES Permit No. PA0121606 in Antrim Township, **Franklin County**, receiving stream—unnamed tributary to Muddy Run. Renewal issued November 17, 1999.

28990301. Fayetteville Contractors, Inc. (3185 Lincoln Way East, P. O. Box FCI, Fayetteville, PA 17222), commencement, operation and restoration of a quarry operation and NPDES Permit No. PA0223981 in Antrim Township, **Franklin County** affecting 20.88 acres, receiving stream—Muddy Run. Permit issued November 17, 1999.

Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

Coal Applications Withdrawn

32980113. Kraynak Coal Company (R. D. 1, Box 158, Mahaffey, PA 15757), commencement, operation and restoration of bituminous strip-auger mine in Grant Township, **Indiana County**, affecting 97.0 acres, receiving stream unnamed tributary to East Run to East Run and East Run to Little Mahoning Creek to Mahoning Creek to the Allegheny River. Application received October 13, 1998; withdrawn November 16, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, Pa 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within thirty (30) days of receipt of written notice of this action unless the appropriate statute provide a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certifications:

Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E09-795. Encroachment. **Columbia Transmission Communications Corporation**, P. O. Box 10146, Fairfax, VA 22030-0146. Giving its consent to install and maintain a fiber optic utility line communication system across various wetlands, which are potential habitat to the Bog turtle (threatened and endangered species). The permittee agrees to follow the recommendations made by the Fish and Boat Commission and U. S. Fish and Wildlife Service regarding the construction methods for areas of concern along this route.

This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through **Lancaster, Chester, Montgomery, Bucks, Lehigh and Northampton Counties**. Wetland disturbance will be temporary and minimized. In Bucks County, this linear project will extend from a point in Milford Township (Milford Square USGS Quadrangle N: 3.5 inches, W: 9.5 inches) to a point in Springfield Township (Hellertown, USGS Quadrangle N: 6.1 inches; W: 12.2 inches) and will traverse Richland Township. The descriptions and locations of all crossings are listed on the following Table 1.1.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Lancaster	Conowingo Dam, MD-PA	PA-003 PA.01.011	72+06	PA-1		Unnamed Tributary to Octoraro Creek	TSF; MF	350'	5' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Station 72+06 East of Jenkins Corner and south of Wrightsdale.
		PA-004 PA.01.014	88+50	PA-2		Unnamed Tributary to Octoraro Creek	TSF; MF	200'	6' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Southwest of Quarry Road Crossing
		PA-005 PA.01.019	117+24	PA-3		Unnamed Tributary to Octoraro Creek	TSF; MF		4' Stream, 8' Bank-Bank	Open cut/biologist onsite or seasonal restriction****	Octoraro Creek	Stream depicted on Soil Survey but not on U.S.G.S. map.
	Rising Sun, MD-PA	PA-006 PA.01.021	145+86	PA-4		Unnamed Tributary to Reynolds Run			10' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-006 PA.01.021	146+76	PA-5		Unnamed Tributary to Reynolds Run			5' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-007 PA.01.030	182+45	PA-6		Reynolds Run	HQ-TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	South of Kirks Mills.
	Kirkwood, PA	PA-010 PA.01.082	281+79	PA-7		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream, 15' Bank-Bank	Open cut	Octoraro Creek	West of Summerhill.
		PA-012 PA.01.066	316+10	PA-8		Unnamed Tributary to McCreary Run	TSF; MF		3' Stream	Insert or Plow*	Octoraro Creek	Approximately 800 feet north of intersection of Pine Grove Rd and TR 756
		PA-012 PA.01.090.01	326+24	PA-9		McCreary Run	TSF; MF		4' Stream, 6' Bank-Bank	Insert or Plow*	Octoraro Creek	Approximately 1100 feet north of Pine Grove Rd. and just east of TR 756
		PA-012 PA.01.090.01	329+01	PA-10		McCreary Run	HQ-TSF; MF	300'	15' Stream, 30' Bank-Bank	Open cut	Octoraro Creek	Approximately 3,000 feet northeast of PA Route 272.
		PA-013 PA.01.093	362+81	PA-11		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	Approximately 4500 feet southwest of Pine Grove.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Chester		PA-015 PA.01.100	407+30	PA-12		Octoraro Creek	TSF; MF	2,200' Parallel	45' Stream (both counties)	Insert or Bore	Octoraro Creek	Southeast of Pine Grove.
		PA-015 PA.01.100	407+82	PA-12		Octoraro Creek	WWF, MF	see above	see above	Insert or Bore	Octoraro Lake	200 feet west of Ashville Road
		PA-016 PA.02.007, .008	440+712- 440+912	PA-13	PEM	Tweed Creek	TSF; MF		15' Stream; 200' Wetland	Insert or Bore	Octoraro Lake	200 feet southwest of Bethel Road
		PA-018 PA.02.0017	502+57	PA-14		Leech Run	TSF; MF	350'	15' Stream	Insert or Plow	Octoraro Lake	1000 feet northeast of Lancaster Pike
	Oxford, PA	PA-024 PA.02.033, .035	666+23	PA-15		Muddy Run	TSF; MF		60' Stream	Insert or Plow		
		PA.025	688+47	PA-16		Unnamed Trib to Muddy River			4' Stream	Insert or Bore****		North of Cheek Road
		PA.025 PA.02.040	697+82	PA-17		Unnamed Trib to Muddy River			4' Stream	Insert or Plow*		North of Catamount Road
		PA-026 PA.02.041,.042	729+94- 730+64	PA-18	PEM Wetland				150' Wetland	Bore**		Southeast of SR 0896
		PA-026 PA.02.041	732+14	PA-19		Unnamed Trib to Muddy River			5' Stream	Insert or Plow*		
		PA-029 PA.02.0050	810+49- 812+43	PA-20	PEM Wetland				600' Wetland	Bore**		
		PA-030 PA.02. 0054.01	825+78- 827+74	PA-021	PEM Wetland				200' Wetland	Bore**		
		PA-031 PA.02.0059	857+23	PA-22	Big Elk Cr.				6' Stream	Insert or Bore***		
		PA-031 PA.02.0061	861+09+-	PA-23	PEM Wetland	Int Trib			300' Wetland and Stream Crossing	Insert or Bore****		
		PA-033 PA.02.0068	918+50- 919+20	PA-24	PEM Wetland	Int Trib			100' Wetland and Stream Crossing	Bore		

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-033 PA.02.0069	928+69	PA-25		Int Trib			3' Stream	Insert or Plow		
	Parkersburg, PA	PA-035 PA.02.0078	978+06	PA-26		Unnamed Tributary to Doe Run		250'	6' Stream	Insert or Plow*	Doe Run	1000 feet northwest of Fernwood Road
		PA-035 PA.02.0081	995+23	PA-27		Unnamed Tributary to Doe Run			3' Stream	Insert or Plow*		300 Feet Northeast of Hannum Road
	Coatsville, PA	PA-039 PA.02.0087, .0089	1089+77	PA-28		Doe Run		450'	50' Stream	Insert or Bore	Doe Run	1000 feet northwest of Creek Road and Rosenvick Road Intersection
		PA-039 PA.02.0092	1110+43- 1110+93	PA-29	PEM	Unnamed Intermittent Tributary to Doe Run			3' Stream; 50' Wetland	Insert or Bore***	Doe Run	1700 northeast of Rosenvick Road
		PA-040 PA.02.0092	1123+96	PA-30		Unnamed Intermittent Tributary to Doe Run			6'	Insert or Bore***	Doe Run	2500 feet south of Doe Run Road, adjacent to Highland Town Line
		PA-041 PA.02.0098	1159+95	PA-31		Unnamed Intermittent Tributary to Doe Run		375'	4' Stream	Insert or Bore***	Doe Run	Intersection of Doe Run Road
		PA-043 PA.02.0103	1201+10	PA-32		Unnamed Tributary to Doe Run		300'	5' Stream	Insert or Bore***	Doe Run	600 feet east of State Rte. 82
		PA-043 PA.02.0103	1202+53	PA-33		Unnamed Tributary to Doe Run		300'	5' Stream (in same Drainage as 32)	Insert or Bore****	Doe Run	600 feet east of State Rte. 82
		PA-044 PA.02.0106	1244+70	PA-34		Buck Run	TSF; MF	650'	50' Stream	Bore	Buck Run	1000 feet southeast of DuPont Road
		PA-047 PA.02.0117	1319+ 36+-	PA-35	Potential Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		250' Wetland; 2' Stream	Bore**	Brandywine Creek	1000 feet south of Fairview Road
		PA-048 PA.02.0125.01, .0215.02	1354+53	PA-36		West Branch Brandywine Creek	TSF,MF	500'	75' Stream	Bore	Brandywine Creek	Directly west of Creek Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Unionville, PA		PA-050 PA02.0131	1402+96+-	PA-37	Palustrine Emergent Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		400' Wetland and Stream Crossing	Bore**	Brandywine Creek	1500 feet south of Strasburg Road
		PA-051	1447+88	PA-37A	Potential Wetland	Small Spring-fed Stream			2'-3' Stream	Bore**		East of Evergreen Drive
		PA-052 PA.02.0139	1475+38	PA-38		Broad Run	EV,MF		15' Stream	Bore	Broad Run	Adjacent to Broad Run Road
		PA-053	1513+97	PA-38A					5' Stream; Bank-Bank	Bore***		Adjacent to Victoria Drive
		PA-054	1526+25	PA-38B		Potential Intermittent Stream			5' Intermittent Stream; Bank-Bank	Bore**		Adjacent to Russel Circle
		PA-055 PA.02.	1559+00- 1560+25	PA-39	Palustrine Emergent Wetland	Tributary			50' Crossing; meandering 3' channel	Bore**	Broad Run	200 feet north of Poorhouse Road
	Downing- town, PA	PA-57B PA.02.0156 .03	1618+43	PA-40	Palustrine Emergent Wetland	Beaver Creek	TSF;MF	1,000'	400' Wetland; 4' Stream	Bore**	East Branch Brandywine	Directly west of Lloyd Ave.
		PA-57B PA.02.0156 .03	1624+22	PA-41	Palustrine Emergent Wetland	Unnamed Tributary to Beaver Creek	TSF;MF	1,000'	500' Wetland; 35'-40' Stream	Bore**		
		PA-58B	1642+01	PA-42		Unnamed Trib			5' Stream	Plow		
		PA-060 PA.02.0169. 03,.04	1704+54	PA-43		Unnamed Intermittent Tributary to East Branch Brandywine			5' Stream	Plow	East Branch Brandywine	600 feet northeast of Rock Raymond Road
		PA-061 PA.02.0170. 13	1731+23	PA-44		Unnamed Intermittent Tributary to East Branch Brandywine	HQ,-TSF,MF		10' Stream	Plow	East Branch Brandywine	1731+23
		PA-061 PA.02.0170	1749+67	PA-45		Unnamed Tributary to East Branch Brandywine	HQ,-TSF,MF		2' Stream	Plow	East Branch Brandywine	1749+67
		PA-062	1769+70	PA-46/ 46a		East Branch Brandywine	WWF,MF	250'	75' Stream	Insert or Bore***	East Branch Brandywine	1770+18

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**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-063	1786+42	PA-47		Shamona Creek	HQ-TSF,MF	200'	30' Stream	Bore	East Branch Brandywine	Dowlins Forge and Shelmire Roads
		PA-066 PA.02.0188 .03	1882+82	PA-48		Unnamed Tributary to Marsh Creek Lake			5' Stream	Bore	East Branch Brandywine	500' South of Turnstone Way
		PA-067 PA.02 .0192	1911+22- 1912+52	PA-49	PEM PFO (outside of ROW)	Unnamed Intermittent Tributary to Marsh Creek Lake			5' Stream	Bore**	East Branch Brandywine	Approximately 1500 feet south of State Rte. 76 (PA Turnpike)
		PA-069	1967+06- 1967+58	PA-49A	Potential Wetland	Drainage wet from adjacent Cow Pond		50' wet drain	Open cut	Bore (red-bellied turtle)		800' West of SR 0100
		PA-070 PA.02.0203	1995+41- 1999+06	PA-50	Treatment Pond Wetland				250' Pond/ Wetland Crossing	Bore***	Pickering Creek	Directly south of Fellowship Road
		PA-072 PA.02.0208	2045+16	PA-51	Palustrine Emergent Wetland	Pine Creek		200'	150' Wetland; 10' Stream	Bore**	Pickering Creek	Directly south of Fellowship Road
		PA-074 PA.02.0218	2114+70	PA-52	PEM	Birch Run	TSF;MF		150' Wetland; 12' Stream	Bore***	French Creek	500 feet southwest of Horseshow Trail Road
Pottstown, PA		PA-076 PA.02.0231	2170+00	PA-53		Unnamed Tributary to Birch Run	TSF;MF		20' Stream	Plow	French Creek	Approximately 250 feet Southwest of Birch Run Road
		PA-077 PA.02.0239	2203+86	PA-54		Unnamed Tributary to Birch Run	TSF;MF		2' Stream	Plow	French Creek	550' Northeast of Flowing Springs Road
		PA-077 PA.02.0242, .0243,.0244	2213+00- 2229+86	PA-55	Palustrine Emergent Wetland				1,650' Wetland	Bore**	French Creek	Adjacent to Birch Run
Phoenixville, PA		PA-080 PA.02.0259	2287+78	PA-56		French Creek	TSF	1,000'	125' Stream	Bore	French Creek	Directly south of Pughtown Road
		PA-081 PA.02.0268.01	2326+77	PA-57	Palustrine Emergent Wetland	Unnamed Tributary to French Creek			200' Wetland; 6' Stream	Bore	French Creek	Directly north of Sheeder Road
		PA-084 PA.02.0272	2393+35- 2395+10	PA-58	Palustrine Emergent Wetland	Stony Run	HQ-TSF	500'	300' Wetland; 10' Stream	Bore**	Schuylkill River	Approximately 1000 feet northeast of Woods Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Montgomery	Phoenixville, PA	PA-087 PA.02.0293	2493+76	PA-59		Pigeon Creek	HQ-TSF		15' Stream	Bore	Schuylkill River	Directly north of Schuylkill Road
		PA-087	2498+88	PA-59A	Wet drain				2' Meandering channel	Open Cut****		
		PA-088 PA.02.0301	2524+22	PA-60		Unnamed Tributary to Schuylkill River	HQ-TSF		3' Stream	Bore	Schuylkill River	Directly adjacent to Schuylkill River
		PA-088 PA.02.0301	2525+29- 2530+28	PA-61		Schuylkill River	CWF		500' Stream (Chester Co. Portion)	Bore	Schuylkill River	East of Linfield
		PA-089		PA-61		Schuylkill River (Cont'd.)	CWF		500' Stream (Montgomery Co. Portion)	Bore	Schuylkill River	East of Linfield
		PA-089	2530- 3532+50	PA-62	PEM	Schuylkill River Floodplain			100' Wetland	Bore	Schuylkill River	Between Schuylkill River and toe of Reading Rail Road Bend
		PA-090	2574+25- 2574+75	PA-63					60' Wetland	Bore	Schuylkill River	Just south of Keen Road (Northern)
		PA-091	2585+65	PA-64		Brook Evans Creek			10' Stream Bank-Bank	Bore	Schuylkill River	South of Keen Road (Northern)
		PA-091	2586+45- 2587+20	PA-65	PEM				70' Wetland	Bore	Schuylkill River	North of Keen Road (Northern)
		PA-092	2623+11	PA-66		Possum Hollow Run			10' Stream Bank-Bank	Bore	Schuylkill River	South of Possum Hollow Road
		PA-092	2639+12	PA-67	PEM				Wetland	Bore	Schuylkill River	North of Possum Hollow Road
		PA-094	2687+79	PA-68		Hartenstine Creek			10' Stream Bank-Bank	Plow*	Santoga Creek	East of Penn Road
	Sassmans- ville, PA	PA-096	2734+50- 2737+00	PA-69	PEM				175' Wetland Bank-Bank; 3' Stream	Bore***	Santoga Creek	North of Pruss Hill Road
		PA-097	2774+17- 2779+64	PA-70	PEM Phragmites				500' Wetland	Bore****	Swamp Creek	North of Mill Road
		PA097	2781+16- 2784+26	PA-70A	PEM					Bore***		

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Bucks	Perkiomenville, PA	PA-098	2811+42-2812+04	PA-71		Swamp Creek			60' Stream	Bore	Swamp Creek	South of Swamp Creek Road
		PA-099	2820+75-2824+20	PA-72	PEM	Tributary to Swamp Creek			350' Wetland; 5' Stream	Bore**	Swamp Creek	North of Swamp Creek Road
		PA-100	2856+19	PA-73		Tributary to Swamp Creek			8' Stream	Plow*	Swamp Creek	North of Keyser Road
		PA101	2877+02	PA-74		Intermittent Stream				Bore***		
		PA-101	2877+82-2879+61	PA-74A	PEM				200' Wetland; 3' Stream	Bore****		West of Neiffer Road, South of SR 073
		PA-102	2917+04	PA-75		Scioto Creek			15' Stream	Bore	Swamp Creek	Southeast of Perkiomenville Road
		PA-104	2960+34	PA-76		GoshenHoppen Creek			8' Stream	Plow*	Perkiomen Creek	West of Perkiomenville Road, South of Gottshalki Road
		PA-107	3070+25-3072+30	PA-77	PEM-Created	Deep Creek			200' Wetland; 25' Stream	Plow*	Perkiomen Creek	North of Deep Creek Road
		PA-108		PA-77	Bordering Emergent Wetland	Deep Creek (continued)				Bore*** or more info		
		PA-109	3114+94-3125+00	PA-78		Green Lane Reservoir	TSF		990' open water	Bore	Perkiomen Creek	
	Milford Square, PA	PA-110	3145+93	PA-79		Tributary to Green Lane Reservoir			10' Stream	Plow*	Perkiomen Creek	South of SR 29
		PA-112	3210+97-3211+60	PA-80		Macoby Creek	TSF		65' Stream	Bore	Perkiomen Creek	East of Campbell Road
		PA-115	3277+17	PA-81		Tributary to Macoby Creek	TSF		10' Stream	Plow*		
		PA-115	3290+24-3296+75	PA-82	Potential Wetland				75' Pond Edge	Bore****		
		PA-119	3390+61	PA-83A		Hazelback Creek	TSF		8' Stream	Bore*** or more info	Unami Creek	Northeast of Fels Road
		PA-120	3422+00	PA-83B		Potential Wetland			60' Wetland Back-Back	Bore**	Unamie Creek	1,000 feet northeast of Hazelback Creek

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-120	3439+16	PA-84		Schmoutz Creek	TSF		30' Wetland; 15' Stream	Plow*	Unami Creek	300 feet west of Kumry Raod
		PA-122	3481+65	PA-85		Intermittent Stream			Intermittent Bore Stream		Unami Creek	100' East of Turnpike
		PA-122	3487+57- 3494+50	PA-86	PEM	Molasses Creek	TSF		200' Wetland; 5' Stream	Bore**	Unami Creek	1,000 feet East of Pennsylvania Turnpike and south of State Route 663 (Spinnerstown- Quakertown Road).
		PA-122	3502+00	PA-87	PEM	Unnamed Intermittent tributary to Molasses Creek			60' Wetland	Plow	Unami Creek	400' south of Quaker Route Road
		PA-124	3541+89	PA-088		Licking Creek	TSF		15' Stream	Plow*	Unami Creek	Approximately 3,000 feet northeast of Spinnertown- Quakertown Road.
		PA-124	3544+00	PA-089					50' Wetland	Plow	Unami Creek	
		PA-124	3555+00	PA-090	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek			150' Wetland	Plow	Unami Creek	Approximately 1,000 southeast of Intersection with Allentown Road.
		PA-125	3561+00- 3567-50	PA-091	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek	TSF		450' Wetland	Bore**	Unami Creek	Intersection of Allentown Road.
		PA-126	3589+00- 3601+00	PA-092	Palustrine Forested Wetland	Unnamed Tributary to Unami Creek	TSF		1200' Wetland; 12' Stream	Bore**	Unami Creek	800 feet north of Mill Pond Road.
		PA-126	3606+00- 3610+75	PA-093	Palustrine Scrub Shrub Wetland	Tributary to Unami Creek			125' Wetland; 6' Stream	Bore***	Unami Creek	1,400 feet north of Mill Pond Road.
		PA-126	3618+00- 3621+00	PA-094	PEM	Unnamed Tributary to Unami Creek	TSF		170' Wetland; 6' Stream	Bore**	Unami Creek	At Intersection of unnamed road north of Mill Pond Road, and west of Brick Tavern.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
North- ampton	Hellertown, PA	PA-127	3634+75- 3638+00	PA-095	PEM	Unami Creek			150' Wetland; 20' Stream	Bore****	Unami Creek	1000 feet east of Wiend Road
		PA-127	3646+50- 3648	PA-096	PEM				150' Wetland	Plow	Unami Creek	Just west of old Bethlehem Pike
		PA-128	3650+40- 3653+00	PA-097	PEM				250' Wetland	Bore**	Unami Creek	Just northeast of Old Bethlehem Pike
		PA-130	3719+00- 3720+00	PA-098	PEM				100' Wetland	Bore****	Unami Creek	
		PA-130	3720+85- 3722+90	PA-099	PEM				150' Wetland	Bore	Unami Creek	
		PA-130	3723+66	PA-100		Tributary to Unami Creek			10' Stream	Bore	Unami Creek	
		PA-131	3737+02	PA-101		Tributary to Tohickon Creek			7' Stream	Plow*	Unami Creek	
		PA-131	3744+34- 3745+85	PA-102	PEM-Pond PUB	Pond			150' Pond	Not Crossing pond****	Tohickon Creek	
		PA-132	3770+17- 3772+14	PA-103	Emergent Wetland				65' Wetland	Plow		
		PA-133	3791+68- 3792+50	PA-104	Palustrine Forested Wetland	Unnamed tributary to Tohickon Creek			95' Wetland; 3-15' Stream	Bore	Tohickon Creek	Directly north of unnamed road in vicinity of Rock Valley.
		PA-138	3960+81	PA-105		Unnamed headwater- Cooks Creek	EV		5' Intermittent Stream	Dry ditch/plow	Cooks Creek	800 feet southwest of Richland Road
		PA-139	3986+20	PA-106		Tributary to Cooks Creek	EV		30' Wetland; 3' Stream	Bore	Cooks Creek	2000 feet northeast of Richland Road
		PA-141	4026+58	PA-107	PEM-PSS	Tributary to Cooks Creek	EV		150' Wetland; 5' Bank- Bank	Bore		2000 feet northeast of SR 412
		PA-143	4085+94	PA-108		Polk Valley Run			12' Bank- Bank	Dry ditch/plow****		300 feet south of Folk Valley Road
		PA-144- 145	4130+52- 4145+50	PA-109	PEM-PSS	Silver Creek (04133+79)			1300' Wetland; 12' Stream; Bank-Bank	Bore**		300-1000 feet south of Wassergrass Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-147	4196+03	PA-110		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	400 feet south of Apple Street
		PA-147	4196+82	PA-111		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	450 feet south of Apple Street
		PA-150	4276+28	PA-112		Tributary to East Branch Saucon Creek			8' Stream; Bank-Bank	Plow*	East Branch Saucon Creek	500 feet southwest of Easton Road
		PA-150	4277+37	PA-113		East Branch Saucon Creek			12-15' Stream; Bank-Bank	Plow*	Saucon Creek	500 feet southeast of Easton Road
		PA-151	4327+98	PA-114		Tributary to East Branch Saucon Creek			5' Stream	Bore**	East Branch Saucon Creek	1500 feet southwest of Trichline Road
		PA-155	4439+53	PA-115		Tributary to Frya Run			4' Bank- Bank	Plow*		1200 feet east of Rangeville Road
		PA-159	4557+20	PA-116		Delaware Canal	Park Property and Historic		40' Stream; Bank-Bank	Bore		75 feet east of SR 61
		PA-159	4559+29- 4562+62 (state line)	PA-117		Delaware River			350' to middle of River	Bore		200 feet east of SR 01

KEY:

WWF = Statewide List (Statewide list plus DO2 and Temp2)

CWF = Statewide List plus Cold Water Fish (Statewide List plus DO1 and Temp1)

TSF = Statewide List plus Trout Stocking (Statewide List plus DO5 and Temp3)

HQ-WWF = Statewide List plus High Quality Waters (Statewide List plus DO1 and Temp2)

HQ-CWF = Statewide List plus High Quality Waters and Cold Water Fish (Statewide List plus DO6 and Temp1)

HQ-TSF = Statewide List plus High Quality Waters and Trout Stocking (Statewide List plus DO1 and Temp3)

EV = Statewide List plus Exceptional Value Waters (Existing Quality)

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

- (*) The stream crossing will be completed in the dry. If there is flow at the time of construction, (and inserting is not available) the flow will be diverted away from the work area during construction and the conduit will be installed by plowing (or trenching as needed).
- (**) These sites are committed by Transcom to be bored after consultation at USFWS office on regarding Bog Turtle Habitat.
- (***) These sites are considered Bog Turtle habitat per M. McCarthy, USFWS on 9/15/99 and must be avoided, including equipment crossings.
- (****) Crossing Methods and/or Restrictions per Andy Shiels, PAFBC letter dated 9/16/99.

E15-617. Encroachment. **Columbia Transmission Communications Corporation.** P. O. Box 10146, Fairfax, VA 22030-0146. Giving its consent to install and maintain a fiber optic utility line communication system across the following streams and wetlands:

1. West Branch of Brandywine Creek (TSF-MF) located approximately 1,000 feet northwest of the intersection Creek Road and Saw Mill Road (Coatesville USGS Quadrangle N: 12.7 inches, W: 3.6 inches) in Newlin Township, Chester County (Resource No. PA-36).
2. Broad Run (EV, MF) located approximately 1,300 feet south of the intersection of Broad Run Road and Chestnut Lane (Unionville USGS Quadrangle N: 15.5 inches, W: 15.95 inches) in West Bradford Township, Chester County (Resource No. PA-38).
3. Unnamed tributary of Broad Run (EV, MF) located approximately 3,300 feet northeast of the intersection of Broad Run Road and Beacon Hill Road (Unionville USGS Quadrangle N: 18.1 inches, W: 15.3 inches) in West Bradford Township, Chester County (Resource No. PA-38A).
4. Unnamed tributary of Broad Run (EV, MF) located approximately 1,800 feet north-northeast of the intersection of Strasburg Road (S.R. 0162), Romansville Road and Shadyside Road (Unionville USGS Quadrangle N: 15.15 inches, W: 16.55 inches) in West Bradford Township, Chester County (Resource No. PA-38B).
5. Unnamed tributary of Broad Run (EV, MF) located 500 feet northeast of the intersection of Poorhouse Road and Federal Drive (Unionville USGS Quadrangle N: 19.9 inches, W: 14.8 inches) in West Bradford Township, Chester County (Resource No. PA-39).
6. Birch Run (EV) and adjacent wetland (PEM) located approximately 600 west of the intersection of Hollow Road and Horseshoe Trail Downingtown (USGS Quadrangle N: 21.3 inches, W: 5.1 inches) in West Bradford Township, Chester County (Resource No. PA-52).
7. Unnamed tributary to Birch Run (EV) located approximately 2,000 feet west of the intersection of Hollow Road and Birchrun Road (Pottstown USGS Quadrangle N: 0.8 inch, W: 3.55 inches) in West Vincent Township, Chester County (Resource No. PA-53).
8. Unnamed tributary to Birch Run (EV) located approximately 1,600 feet north of the intersection of Hollow Road and Flowing Springs Road (Pottstown USGS Quadrangle N: 1.80 inches, W: 2.20 inches) in West Vincent Township, Chester County (Resource No. PA-54).
9. French Creek (TSF) located 300 feet west of the intersection of Pughtown Road and Sheeder Road (Phoenixville USGS Quadrangle N: 4.8 inches, W: 16.8 inches) in East Vincent and West Vincent Townships, Chester County (Resource No. PA-56).

In addition, the permittee agrees to follow the recommendations made by the Fish and Boat Commission and U.S. Fish and Wildlife Service regarding the construction methods for various wetland crossings along the fiber optic line route which may be potential habitat to the following threatened and endangered species: Bog turtle and Red-bellied turtle.

This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through **Lancaster, Chester, Montgomery, Bucks, Lehigh and Northampton Counties**. Wetland disturbance will be temporary and minimized. In Chester County this linear project will extend from a point in West Nottingham Township (Kirkwood USGS Quadrangle N: 7.6 inches, W: 6.25 inches) to a point in East Coventry Township Phoenixville USGS Quadrangle N: 15.1 inches, W: 11.5 inches) and will traverse East Nottingham, Lower Oxford, Upper Oxford, Londonderry, Highland, East Fallowfield, West Bradford, Caln, East Brandywine, Upper Uwchlan, West Vincent and East Vincent Townships. The descriptions and locations of all crossings are listed on the following Table 1.1.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Lancaster	Conowingo Dam, MD-PA	PA-003 PA.01.011	72+06	PA-1		Unnamed Tributary to Octoraro Creek	TSF; MF	350'	5' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Station 72+06 East of Jenkins Corner and south of Wrightsdale.
		PA-004 PA.01.014	88+50	PA-2		Unnamed Tributary to Octoraro Creek	TSF; MF	200'	6' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Southwest of Quarry Road Crossing
		PA-005 PA.01.019	117+24	PA-3		Unnamed Tributary to Octoraro Creek	TSF; MF		4' Stream, 8' Bank-Bank	Open cut/biologist onsite or seasonal restriction****	Octoraro Creek	Stream depicted on Soil Survey but not on U.S.G.S. map.
	Rising Sun, MD-PA	PA-006 PA.01.021	145+86	PA-4		Unnamed Tributary to Reynolds Run			10' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-006 PA.01.021	146+76	PA-5		Unnamed Tributary to Reynolds Run			5' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-007 PA.01.030	182+45	PA-6		Reynolds Run	HQ-TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	South of Kirks Mills.
	Kirkwood, PA	PA-010 PA.01.082	281+79	PA-7		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream, 15' Bank-Bank	Open cut	Octoraro Creek	West of Summerhill.
		PA-012 PA.01.066	316+10	PA-8		Unnamed Tributary to McCreary Run	TSF; MF		3' Stream	Insert or Plow*	Octoraro Creek	Approximately 800 feet north of intersection of Pine Grove Rd and TR 756
		PA-012 PA.01.090.01	326+24	PA-9		McCreary Run	TSF; MF		4' Stream, 6' Bank-Bank	Insert or Plow*	Octoraro Creek	Approximately 1100 feet north of Pine Grove Rd. and just east of TR 756
		PA-012 PA.01.090.01	329+01	PA-10		McCreary Run	HQ-TSF; MF	300'	15' Stream, 30' Bank-Bank	Open cut	Octoraro Creek	Approximately 3,000 feet northeast of PA Route 272.
		PA-013 PA.01.093	362+81	PA-11		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	Approximately 4500 feet southwest of Pine Grove.

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**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Chester		PA-015 PA.01.100	407+30	PA-12		Octoraro Creek	TSF; MF	2,200' Parallel	45' Stream (both counties)	Insert or Bore	Octoraro Creek	Southeast of Pine Grove.
		PA-015 PA.01.100	407+82	PA-12		Octoraro Creek	WWF, MF	see above	see above	Insert or Bore	Octoraro Lake	200 feet west of Ashville Road
		PA-016 PA.02.007, .008	440+712- 440+912	PA-13	PEM	Tweed Creek	TSF; MF		15' Stream; 200' Wetland	Insert or Bore	Octoraro Lake	200 feet southwest of Bethel Road
		PA-018 PA.02.0017	502+57	PA-14		Leech Run	TSF; MF	350'	15' Stream	Insert or Plow	Octoraro Lake	1000 feet northeast of Lancaster Pike
	Oxford, PA	PA-024 PA.02.033, .035	666+23	PA-15		Muddy Run	TSF; MF		60' Stream	Insert or Plow		
		PA.025	688+47	PA-16		Unnamed Trib to Muddy River			4' Stream	Insert or Bore****		North of Cheek Road
		PA.025 PA.02.040	697+82	PA-17		Unnamed Trib to Muddy River			4' Stream	Insert or Plow*		North of Catamount Road
		PA-026 PA.02.041,.042	729+94- 730+64	PA-18	PEM Wetland				150' Wetland	Bore**		Southeast of SR 0896
		PA-026 PA.02.041	732+14	PA-19		Unnamed Trib to Muddy River			5' Stream	Insert or Plow*		
		PA-029 PA.02.0050	810+49- 812+43	PA-20	PEM Wetland				600' Wetland	Bore**		
		PA-030 PA.02. 0054.01	825+78- 827+74	PA-021	PEM Wetland				200' Wetland	Bore**		
		PA-031 PA.02.0059	857+23	PA-22	Big Elk Cr.				6' Stream	Insert or Bore***		
		PA-031 PA.02.0061	861+09+-	PA-23	PEM Wetland	Int Trib			300' Wetland and Stream Crossing	Insert or Bore****		
		PA-033 PA.02.0068	918+50- 919+20	PA-24	PEM Wetland	Int Trib			100' Wetland and Stream Crossing	Bore		

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-033 PA.02.0069	928+69	PA-25		Int Trib			3' Stream	Insert or Plow		
	Parkersburg, PA	PA-035 PA.02.0078	978+06	PA-26		Unnamed Tributary to Doe Run		250'	6' Stream	Insert or Plow*	Doe Run	1000 feet northwest of Fernwood Road
		PA-035 PA.02.0081	995+23	PA-27		Unnamed Tributary to Doe Run			3' Stream	Insert or Plow*		300 Feet Northeast of Hannum Road
	Coatsville, PA	PA-039 PA.02.0087, .0089	1089+77	PA-28		Doe Run		450'	50' Stream	Insert or Bore	Doe Run	1000 feet northwest of Creek Road and Rosenvick Road Intersection
		PA-039 PA.02.0092	1110+43- 1110+93	PA-29	PEM	Unnamed Intermittent Tributary to Doe Run			3' Stream; 50' Wetland	Insert or Bore***	Doe Run	1700 northeast of Rosenvick Road
		PA-040 PA.02.0092	1123+96	PA-30		Unnamed Intermittent Tributary to Doe Run			6'	Insert or Bore***	Doe Run	2500 feet south of Doe Run Road, adjacent to Highland Town Line
		PA-041 PA.02.0098	1159+95	PA-31		Unnamed Intermittent Tributary to Doe Run		375'	4' Stream	Insert or Bore***	Doe Run	Intersection of Doe Run Road
		PA-043 PA.02.0103	1201+10	PA-32		Unnamed Tributary to Doe Run		300'	5' Stream	Insert or Bore***	Doe Run	600 feet east of State Rte. 82
		PA-043 PA.02.0103	1202+53	PA-33		Unnamed Tributary to Doe Run		300'	5' Stream (in same Drainage as 32)	Insert or Bore****	Doe Run	600 feet east of State Rte. 82
		PA-044 PA.02.0106	1244+70	PA-34		Buck Run	TSF; MF	650'	50' Stream	Bore	Buck Run	1000 feet southeast of DuPont Road
		PA-047 PA.02.0117	1319+ 36+-	PA-35	Potential Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		250' Wetland; 2' Stream	Bore**	Brandywine Creek	1000 feet south of Fairview Road
		PA-048 PA.02.0125.01, .0215.02	1354+53	PA-36		West Branch Brandywine Creek	TSF,MF	500'	75' Stream	Bore	Brandywine Creek	Directly west of Creek Road

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**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Unionville, PA		PA-050 PA02.0131	1402+96+-	PA-37	Palustrine Emergent Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		400' Wetland and Stream Crossing	Bore**	Brandywine Creek	1500 feet south of Strasburg Road
		PA-051	1447+88	PA-37A	Potential Wetland	Small Spring-fed Stream			2'-3' Stream	Bore**		East of Evergreen Drive
		PA-052 PA.02.0139	1475+38	PA-38		Broad Run	EV,MF		15' Stream	Bore	Broad Run	Adjacent to Broad Run Road
		PA-053	1513+97	PA-38A					5' Stream; Bank-Bank	Bore***		Adjacent to Victoria Drive
		PA-054	1526+25	PA-38B		Potential Intermittent Stream			5' Intermittent Stream; Bank-Bank	Bore**		Adjacent to Russel Circle
	Downing- town, PA	PA-055 PA.02.	1559+00- 1560+25	PA-39	Palustrine Emergent Wetland	Tributary			50' Crossing; meandering 3' channel	Bore**	Broad Run	200 feet north of Poorhouse Road
		PA-57B PA.02.0156 .03	1618+43	PA-40	Palustrine Emergent Wetland	Beaver Creek	TSF;MF	1,000'	400' Wetland; 4' Stream	Bore**	East Branch Brandywine	Directly west of Lloyd Ave.
		PA-57B PA.02.0156 .03	1624+22	PA-41	Palustrine Emergent Wetland	Unnamed Tributary to Beaver Creek	TSF;MF	1,000'	500' Wetland; 35'-40' Stream	Bore**		
		PA-58B	1642+01	PA-42		Unnamed Trib			5' Stream	Plow		
		PA-060 PA.02.0169. 03,.04	1704+54	PA-43		Unnamed Intermittent Tributary to East Branch Brandywine			5' Stream	Plow	East Branch Brandywine	600 feet northeast of Rock Raymond Road
		PA-061 PA.02.0170. 13	1731+23	PA-44		Unnamed Intermittent Tributary to East Branch Brandywine	HQ,-TSF,MF		10' Stream	Plow	East Branch Brandywine	1731+23
		PA-061 PA.02.0170	1749+67	PA-45		Unnamed Tributary to East Branch Brandywine	HQ,-TSF,MF		2' Stream	Plow	East Branch Brandywine	1749+67
		PA-062	1769+70	PA-46/ 46a		East Branch Brandywine	WWF,MF	250'	75' Stream	Insert or Bore***	East Branch Brandywine	1770+18

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Pottstown, PA		PA-063	1786+42	PA-47		Shamona Creek	HQ-TSF,MF	200'	30' Stream	Bore	East Branch Brandywine	Dowlins Forge and Shelmire Roads
		PA-066 PA.02.0188 .03	1882+82	PA-48		Unnamed Tributary to Marsh Creek Lake			5' Stream	Bore	East Branch Brandywine	500' South of Turnstone Way
		PA-067 PA.02 .0192	1911+22- 1912+52	PA-49	PEM PFO (outside of ROW)	Unnamed Intermittent Tributary to Marsh Creek Lake			5' Stream	Bore**	East Branch Brandywine	Approximately 1500 feet south of State Rte. 76 (PA Turnpike)
		PA-069	1967+06- 1967+58	PA-49A	Potential Wetland	Drainage wet from adjacent Cow Pond		50' wet drain	Open cut	Bore (red-bellied turtle)		800' West of SR 0100
		PA-070 PA.02.0203	1995+41- 1999+06	PA-50	Treatment Pond Wetland				250' Pond/ Wetland Crossing	Bore***	Pickering Creek	Directly south of Fellowship Road
		PA-072 PA.02.0208	2045+16	PA-51	Palustrine Emergent Wetland	Pine Creek		200'	150' Wetland; 10' Stream	Bore**	Pickering Creek	Directly south of Fellowship Road
		PA-074 PA.02.0218	2114+70	PA-52	PEM	Birch Run	TSF;MF		150' Wetland; 12' Stream	Bore***	French Creek	500 feet southwest of Horseshow Trail Road
		PA-076 PA.02.0231	2170+00	PA-53		Unnamed Tributary to Birch Run	TSF;MF		20' Stream	Plow	French Creek	Approximately 250 feet Southwest of Birch Run Road
		PA-077 PA.02.0239	2203+86	PA-54		Unnamed Tributary to Birch Run	TSF;MF		2' Stream	Plow	French Creek	550' Northeast of Flowing Springs Road
		PA-077 PA.02.0242, .0243,.0244	2213+00- 2229+86	PA-55	Palustrine Emergent Wetland				1,650' Wetland	Bore**	French Creek	Adjacent to Birch Run
Phoenixville, PA		PA-080 PA.02.0259	2287+78	PA-56		French Creek	TSF	1,000'	125' Stream	Bore	French Creek	Directly south of Pughtown Road
		PA-081 PA.02.0268.01	2326+77	PA-57	Palustrine Emergent Wetland	Unnamed Tributary to French Creek			200' Wetland; 6' Stream	Bore	French Creek	Directly north of Sheeder Road
		PA-084 PA.02.0272	2393+35- 2395+10	PA-58	Palustrine Emergent Wetland	Stony Run	HQ-TSF	500'	300' Wetland; 10' Stream	Bore**	Schuylkill River	Approximately 1000 feet northeast of Woods Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Stream	Resource Type Water Uses Protected	Floodplain	Length of Crossing Disturbance	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
Montgomery	Phoenixville, PA	PA-087 PA.02.0293	2493+76	PA-59		Pigeon Creek	HQ-TSF		15' Stream	Bore	Schuylkill River	Directly north of Schuylkill Road
		PA-087	2498+88	PA-59A	Wet drain				2' Meandering channel	Open Cut****		
		PA-088 PA.02.0301	2524+22	PA-60		Unnamed Tributary to Schuylkill River	HQ-TSF		3' Stream	Bore	Schuylkill River	Directly adjacent to Schuylkill River
		PA-088 PA.02.0301	2525+29- 2530+28	PA-61		Schuylkill River	CWF		500' Stream (Chester Co. Portion)	Bore	Schuylkill River	East of Linfield
		PA-089		PA-61		Schuylkill River (Cont'd.)	CWF		500' Stream (Montgomery Co. Portion)	Bore	Schuylkill River	East of Linfield
		PA-089	2530- 3532+50	PA-62	PEM	Schuylkill River Floodplain			100' Wetland	Bore	Schuylkill River	Between Schuylkill River and toe of Reading Rail Road Bend
		PA-090	2574+25- 2574+75	PA-63					60' Wetland	Bore	Schuylkill River	Just south of Keen Road (Northern)
		PA-091	2585+65	PA-64		Brook Evans Creek			10' Stream Bank-Bank	Bore	Schuylkill River	South of Keen Road (Northern)
		PA-091	2586+45- 2587+20	PA-65	PEM				70' Wetland	Bore	Schuylkill River	North of Keen Road (Northern)
		PA-092	2623+11	PA-66		Possum Hollow Run			10' Stream Bank-Bank	Bore	Schuylkill River	South of Possum Hollow Road
		PA-092	2639+12	PA-67	PEM				Wetland	Bore	Schuylkill River	North of Possum Hollow Road
		PA-094	2687+79	PA-68		Hartenstine Creek			10' Stream Bank-Bank	Plow*	Santoga Creek	East of Penn Road
	Sassmansville, PA	PA-096	2734+50- 2737+00	PA-69	PEM				175' Wetland Bank-Bank; 3' Stream	Bore***	Santoga Creek	North of Pruss Hill Road
		PA-097	2774+17- 2779+64	PA-70	PEM Phragmites				500' Wetland	Bore****	Swamp Creek	North of Mill Road
		PA097	2781+16- 2784+26	PA-70A	PEM					Bore***		

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Bucks	Perkiomenville, PA	PA-098	2811+42-2812+04	PA-71		Swamp Creek			60' Stream	Bore	Swamp Creek	South of Swamp Creek Road
		PA-099	2820+75-2824+20	PA-72	PEM	Tributary to Swamp Creek			350' Wetland; 5' Stream	Bore**	Swamp Creek	North of Swamp Creek Road
		PA-100	2856+19	PA-73		Tributary to Swamp Creek			8' Stream	Plow*	Swamp Creek	North of Keyser Road
		PA101	2877+02	PA-74		Intermittent Stream				Bore***		
		PA-101	2877+82-2879+61	PA-74A	PEM				200' Wetland; 3' Stream	Bore****		West of Neiffer Road, South of SR 073
		PA-102	2917+04	PA-75		Scioto Creek			15' Stream	Bore	Swamp Creek	Southeast of Perkiomenville Road
		PA-104	2960+34	PA-76		GoshenHoppen Creek			8' Stream	Plow*	Perkiomen Creek	West of Perkiomenville Road, South of Gottshalki Road
		PA-107	3070+25-3072+30	PA-77	PEM-Created	Deep Creek			200' Wetland; 25' Stream	Plow*	Perkiomen Creek	North of Deep Creek Road
		PA-108		PA-77	Bordering Emergent Wetland	Deep Creek (continued)				Bore*** or more info		
		PA-109	3114+94-3125+00	PA-78		Green Lane Reservoir	TSF		990' open water	Bore	Perkiomen Creek	
		PA-110	3145+93	PA-79		Tributary to Green Lane Reservoir			10' Stream	Plow*	Perkiomen Creek	South of SR 29
		PA-112	3210+97-3211+60	PA-80		Macoby Creek	TSF		65' Stream	Bore	Perkiomen Creek	East of Campbell Road
	Milford Square, PA	PA-115	3277+17	PA-81		Tributary to Macoby Creek	TSF		10' Stream	Plow*		
		PA-115	3290+24-3296+75	PA-82	Potential Wetland				75' Pond Edge	Bore****		
		PA-119	3390+61	PA-83A		Hazelback Creek	TSF		8' Stream	Bore*** or more info	Unami Creek	Northeast of Fels Road
		PA-120	3422+00	PA-83B		Potential Wetland			60' Wetland Back-Back	Bore**	Unamie Creek	1,000 feet northeast of Hazelback Creek

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-120	3439+16	PA-84		Schmoutz Creek	TSF		30' Wetland; 15' Stream	Plow*	Unami Creek	300 feet west of Kumry Raod
		PA-122	3481+65	PA-85		Intermittent Stream			Intermittent Bore Stream		Unami Creek	100' East of Turnpike
		PA-122	3487+57- 3494+50	PA-86	PEM	Molasses Creek	TSF		200' Wetland; 5' Stream	Bore**	Unami Creek	1,000 feet East of Pennsylvania Turnpike and south of State Route 663 (Spinnerstown- Quakertown Road).
		PA-122	3502+00	PA-87	PEM	Unnamed Intermittent tributary to Molasses Creek			60' Wetland	Plow	Unami Creek	400' south of Quaker Route Road
		PA-124	3541+89	PA-088		Licking Creek	TSF		15' Stream	Plow*	Unami Creek	Approximately 3,000 feet northeast of Spinnertown- Quakertown Road.
		PA-124	3544+00	PA-089					50' Wetland	Plow	Unami Creek	
		PA-124	3555+00	PA-090	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek			150' Wetland	Plow	Unami Creek	Approximately 1,000 southeast of Intersection with Allentown Road.
		PA-125	3561+00- 3567-50	PA-091	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek	TSF		450' Wetland	Bore**	Unami Creek	Intersection of Allentown Road.
		PA-126	3589+00- 3601+00	PA-092	Palustrine Forested Wetland	Unnamed Tributary to Unami Creek	TSF		1200' Wetland; 12' Stream	Bore**	Unami Creek	800 feet north of Mill Pond Road.
		PA-126	3606+00- 3610+75	PA-093	Palustrine Scrub Shrub Wetland	Tributary to Unami Creek			125' Wetland; 6' Stream	Bore***	Unami Creek	1,400 feet north of Mill Pond Road.
		PA-126	3618+00- 3621+00	PA-094	PEM	Unnamed Tributary to Unami Creek	TSF		170' Wetland; 6' Stream	Bore**	Unami Creek	At Intersection of unnamed road north of Mill Pond Road, and west of Brick Tavern.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
North- ampton	Hellertown, PA	PA-127	3634+75- 3638+00	PA-095	PEM	Unami Creek			150' Wetland; 20' Stream	Bore****	Unami Creek	1000 feet east of Wiend Road
		PA-127	3646+50- 3648	PA-096	PEM				150' Wetland	Plow	Unami Creek	Just west of old Bethlehem Pike
		PA-128	3650+40- 3653+00	PA-097	PEM				250' Wetland	Bore**	Unami Creek	Just northeast of Old Bethlehem Pike
		PA-130	3719+00- 3720+00	PA-098	PEM				100' Wetland	Bore****	Unami Creek	
		PA-130	3720+85- 3722+90	PA-099	PEM				150' Wetland	Bore	Unami Creek	
		PA-130	3723+66	PA-100		Tributary to Unami Creek			10' Stream	Bore	Unami Creek	
		PA-131	3737+02	PA-101		Tributary to Tohickon Creek			7' Stream	Plow*	Unami Creek	
		PA-131	3744+34- 3745+85	PA-102	PEM-Pond PUB	Pond			150' Pond	Not Crossing pond****	Tohickon Creek	
		PA-132	3770+17- 3772+14	PA-103	Emergent Wetland				65' Wetland	Plow		
		PA-133	3791+68- 3792+50	PA-104	Palustrine Forested Wetland	Unnamed tributary to Tohickon Creek			95' Wetland; 3-15' Stream	Bore	Tohickon Creek	Directly north of unnamed road in vicinity of Rock Valley.
		PA-138	3960+81	PA-105		Unnamed headwater- Cooks Creek	EV		5' Intermittent Stream	Dry ditch/plow	Cooks Creek	800 feet southwest of Richland Road
		PA-139	3986+20	PA-106		Tributary to Cooks Creek	EV		30' Wetland; 3' Stream	Bore	Cooks Creek	2000 feet northeast of Richland Road
		PA-141	4026+58	PA-107	PEM-PSS	Tributary to Cooks Creek	EV		150' Wetland; 5' Bank- Bank	Bore		2000 feet northeast of SR 412
		PA-143	4085+94	PA-108		Polk Valley Run			12' Bank- Bank	Dry ditch/plow****		300 feet south of Folk Valley Road

PA-144-
145 4130+52-
4145+50 PA-109 PEM-PSS Silver
Creek
(04133+79)

1300'
Wetland;
12'
Stream;
Bank-Bank

Bore**

300-1000 feet
south of
Wassergrass Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-147	4196+03	PA-110		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	400 feet south of Apple Street
		PA-147	4196+82	PA-111		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	450 feet south of Apple Street
		PA-150	4276+28	PA-112		Tributary to East Branch Saucon Creek			8' Stream; Bank-Bank	Plow*	East Branch Saucon Creek	500 feet southwest of Easton Road
		PA-150	4277+37	PA-113		East Branch Saucon Creek			12-15' Stream; Bank-Bank	Plow*	Saucon Creek	500 feet southeast of Easton Road
		PA-151	4327+98	PA-114		Tributary to East Branch Saucon Creek			5' Stream	Bore**	East Branch Saucon Creek	1500 feet southwest of Trichline Road
		PA-155	4439+53	PA-115		Tributary to Frya Run			4' Bank- Bank	Plow*		1200 feet east of Rangeville Road
		PA-159	4557+20	PA-116		Delaware Canal	Park Property and Historic		40' Stream; Bank-Bank	Bore		75 feet east of SR 61
		PA-159	4559+29- 4562+62 (state line)	PA-117		Delaware River			350' to middle of River	Bore		200 feet east of SR 01

KEY:

WWF = Statewide List (Statewide list plus DO2 and Temp2)

CWF = Statewide List plus Cold Water Fish (Statewide List plus DO1 and Temp1)

TSF = Statewide List plus Trout Stocking (Statewide List plus DO5 and Temp3)

HQ-WWF = Statewide List plus High Quality Waters (Statewide List plus DO1 and Temp2)

HQ-CWF = Statewide List plus High Quality Waters and Cold Water Fish (Statewide List plus DO6 and Temp1)

HQ-TSF = Statewide List plus High Quality Waters and Trout Stocking (Statewide List plus DO1 and Temp3)

EV = Statewide List plus Exceptional Value Waters (Existing Quality)

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

(*) The stream crossing will be completed in the dry. If there is flow at the time of construction, (and inserting is not available) the flow will be diverted away from the work area during construction and the conduit will be installed by plowing (or trenching as needed).

(**) These sites are committed by Transcom to be bored after consultation at USFWS office on regarding Bog Turtle Habitat.

(***) These sites are considered Bog Turtle habitat per M. McCarthy, USFWS on 9/15/99 and must be avoided, including equipment crossings.

(****) Crossing Methods and/or Restrictions per Andy Shiels, PAFBC letter dated 9/16/99.

E46-840. Encroachment. **Columbia Transmission Communications Corporation**, P. O. Box 10146, Fairfax, VA 22030-0146. Giving its consent to install and maintain a fiber optic utility line communication system across the Green Lane Reservoir (TSF) located approximately 2,400 feet southwest of the intersection of Gravel Pike (S.R. 0029) and Knight Road (Perkiomenville USGS Quadrangle N: 18.00 inches, W: 15.8 inches) in Upper Frederick and Marlborough Townships.

In addition, the permittee agrees to follow the recommendations made by the PA Fish and Boat Commission and U.S. Fish and Wildlife Service regarding the construction methods for various wetland crossings along the fiber optic line route which may be potential habitat for the Bog turtle (threatened and endangered species).

This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through **Lancaster, Chester, Montgomery, Bucks, Lehigh and Northampton Counties**. Wetland disturbance will be temporary and minimized. In Montgomery County this linear project will extend from a point in Limerick Township (Phoenixville USGS Quadrangle N: 15.1 inches, W: 11.5 inches) to a point in Marlborough Township (Milford Square USGS Quadrangle N: 3.5 inches, W: 9.5 inches) and will traverse Upper Frederick Township. The descriptions and locations of all crossings are listed on the following Table 1.1.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type		Floodplain	Length of Crossing Disturbance	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
						Stream	Water Uses Protected					
Lancaster	Conowingo Dam, MD-PA	PA-003 PA.01.011	72+06	PA-1		Unnamed Tributary to Octoraro Creek	TSF; MF	350'	5' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Station 72+06 East of Jenkins Corner and south of Wrightsdale.
		PA-004 PA.01.014	88+50	PA-2		Unnamed Tributary to Octoraro Creek	TSF; MF	200'	6' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Southwest of Quarry Road Crossing
	Rising Sun, MD-PA	PA-005 PA.01.019	117+24	PA-3		Unnamed Tributary to Octoraro Creek	TSF; MF		4' Stream, 8' Bank-Bank	Open cut/biologist onsite or seasonal restriction****	Octoraro Creek	Stream depicted on Soil Survey but not on U.S.G.S. map.
		PA-006 PA.01.021	145+86	PA-4		Unnamed Tributary to Reynolds Run			10' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Chester	Kirkwood, PA	PA-006 PA.01.021	146+76	PA-5		Unnamed Tributary to Reynolds Run			5' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-007 PA.01.030	182+45	PA-6		Reynolds Run	HQ-TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	South of Kirks Mills.
		PA-010 PA.01.082	281+79	PA-7		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream, 15' Bank-Bank	Open cut	Octoraro Creek	West of Summerhill.
		PA-012 PA.01.066	316+10	PA-8		Unnamed Tributary to McCreary Run	TSF; MF		3' Stream	Insert or Plow*	Octoraro Creek	Approximately 800 feet north of intersection of Pine Grove Rd and TR 756
		PA-012 PA.01.090.01	326+24	PA-9		McCreary Run	TSF; MF		4' Stream, 6' Bank-Bank	Insert or Plow*	Octoraro Creek	Approximately 1100 feet north of Pine Grove Rd. and just east of TR 756
		PA-012 PA.01.090.01	329+01	PA-10		McCreary Run	HQ-TSF; MF	300'	15' Stream, 30' Bank-Bank	Open cut	Octoraro Creek	Approximately 3,000 feet northeast of PA Route 272.
		PA-013 PA.01.093	362+81	PA-11		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	Approximately 4500 feet southwest of Pine Grove.
		PA-015 PA.01.100	407+30	PA-12		Octoraro Creek	TSF; MF	2,200' Parallel	45' Stream (both counties)	Insert or Bore	Octoraro Creek	Southeast of Pine Grove.
		PA-015 PA.01.100	407+82	PA-12		Octoraro Creek	WWF, MF	see above	see above	Insert or Bore	Octoraro Lake	200 feet west of Ashville Road
		PA-016 PA.02.007, .008	440+712-440+912	PA-13	PEM	Tweed Creek	TSF; MF		15' Stream; 200' Wetland	Insert or Bore	Octoraro Lake	200 feet southwest of Bethel Road
	Oxford, PA	PA-018 PA.02.0017	502+57	PA-14		Leech Run	TSF; MF	350'	15' Stream	Insert or Plow	Octoraro Lake	1000 feet northeast of Lancaster Pike
		PA-024 PA.02.033, .035	666+23	PA-15		Muddy Run	TSF; MF		60' Stream	Insert or Plow		
		PA.025	688+47	PA-16		Unnamed Trib to Muddy River			4' Stream	Insert or Bore****		North of Cheek Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA.025 PA.02.040	697+82	PA-17		Unnamed Trib to Muddy River			4' Stream	Insert or Plow*		North of Catamount Road
		PA-026 PA.02.041,.042	729+94- 730+64	PA-18	PEM Wetland				150' Wetland	Bore**		Southeast of SR 0896
		PA-026 PA.02.041	732+14	PA-19		Unnamed Trib to Muddy River			5' Stream	Insert or Plow*		
		PA-029 PA.02.0050	810+49- 812+43	PA-20	PEM Wetland				600' Wetland	Bore**		
		PA-030 PA.02. 0054.01	825+78- 827+74	PA-021	PEM Wetland				200' Wetland	Bore**		
		PA-031 PA.02.0059	857+23	PA-22	Big Elk Cr.				6' Stream	Insert or Bore***		
		PA-031 PA.02.0061	861+09+-	PA-23	PEM Wetland	Int Trib			300' Wetland and Stream Crossing	Insert or Bore****		
		PA-033 PA.02.0068	918+50- 919+20	PA-24	PEM Wetland	Int Trib			100' Wetland and Stream Crossing	Bore		
		PA-033 PA.02.0069	928+69	PA-25		Int Trib			3' Stream	Insert or Plow		
	Parkersburg, PA	PA-035 PA.02.0078	978+06	PA-26		Unnamed Tributary to Doe Run		250'	6' Stream	Insert or Plow*	Doe Run	1000 feet northeast of Fernwood Road
		PA-035 PA.02.0081	995+23	PA-27		Unnamed Tributary to Doe Run			3' Stream	Insert or Plow*		300 Feet Northeast of Hannum Road
	Coatsville, PA	PA-039 PA.02.0087, .0089	1089+77	PA-28		Doe Run		450'	50' Stream	Insert or Bore	Doe Run	1000 feet northwest of Creek Road and Rosenvick Road Intersection
		PA-039 PA.02.0092	1110+43- 1110+93	PA-29	PEM	Unnamed Intermittent Tributary to Doe Run			3' Stream; 50' Wetland	Insert or Bore***	Doe Run	1700 northeast of Rosenvick Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Unionville, PA		PA-040 PA.02.0092	1123+96	PA-30		Unnamed Intermittent Tributary to Doe Run			6'	Insert or Bore***	Doe Run	2500 feet south of Doe Run Road, adjacent to Highland Town Line
		PA-041 PA.02.0098	1159+95	PA-31		Unnamed Intermittent Tributary to Doe Run		375'	4' Stream	Insert or Bore***	Doe Run	Intersection of Doe Run Road
		PA-043 PA.02.0103	1201+10	PA-32		Unnamed Tributary to Doe Run		300'	5' Stream	Insert or Bore***	Doe Run	600 feet east of State Rte. 82
		PA-043 PA.02.0103	1202+53	PA-33		Unnamed Tributary to Doe Run		300'	5' Stream (in same Drainage as 32)	Insert or Bore****	Doe Run	600 feet east of State Rte. 82
		PA-044 PA.02.0106	1244+70	PA-34		Buck Run	TSF; MF	650'	50' Stream	Bore	Buck Run	1000 feet southeast of DuPont Road
		PA-047 PA.02.0117	1319+ 36+-	PA-35	Potential Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		250' Wetland; 2' Stream	Bore**	Brandywine Creek	1000 feet south of Fairview Road
		PA-048 PA.02.0125.01, .0215.02	1354+53	PA-36		West Branch Brandywine Creek	TSF,MF	500'	75' Stream	Bore	Brandywine Creek	Directly west of Creek Road
		PA-050 PA02.0131	1402+96+-	PA-37	Palustrine Emergent Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF		400' Wetland and Stream Crossing	Bore**	Brandywine Creek	1500 feet south of Strasburg Road
		PA-051	1447+88	PA-37A	Potential Wetland	Small Spring-fed Stream			2'-3' Stream	Bore**		East of Evergreen Drive
		PA-052 PA.02.0139	1475+38	PA-38		Broad Run	EV,MF		15' Stream	Bore	Broad Run	Adjacent to Broad Run Road
		PA-053	1513+97	PA-38A					5' Stream; Bank-Bank	Bore***		Adjacent to Victoria Drive
		PA-054	1526+25	PA-38B		Potential Intermittent Stream			5' Intermittent Stream; Bank-Bank	Bore**		Adjacent to Russel Circle
		PA-055 PA.02.	1559+00- 1560+25	PA-39	Palustrine Emergent Wetland	Tributary			50' Crossing; meandering 3' channel	Bore**	Broad Run	200 feet north of Poorhouse Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Downing- town, PA		PA-57B PA.02.0156 .03	1618+43	PA-40	Palustrine Emergent Wetland	Beaver Creek	TSF;MF	1,000'	400' Wetland; 4' Stream	Bore**	East Branch Brandywine	Directly west of Lloyd Ave.
		PA-57B PA.02.0156 .03	1624+22	PA-41	Palustrine Emergent Wetland	Unnamed Tributary to Beaver Creek	TSF;MF	1,000'	500' Wetland; 35'-40' Stream	Bore**		
		PA-58B	1642+01	PA-42		Unnamed Trib			5' Stream	Plow		
		PA-060 PA.02.0169. 03,.04	1704+54	PA-43		Unnamed Intermittent Tributary to East Branch Brandywine			5' Stream	Plow	East Branch Brandywine	600 feet northeast of Rock Raymond Road
		PA-061 PA.02.0170. 13	1731+23	PA-44		Unnamed Intermittent Tributary to East Branch Brandywine	HQ,-TSF,MF		10' Stream	Plow	East Branch Brandywine	1731+23
		PA-061 PA.02.0170	1749+67	PA-45		Unnamed Tributary to East Branch Brandywine	HQ,-TSF,MF		2' Stream	Plow	East Branch Brandywine	1749+67
		PA-062	1769+70	PA-46/ 46a		East Branch Brandywine	WWF,MF	250'	75' Stream	Insert or Bore***	East Branch Brandywine	1770+18
		PA-063	1786+42	PA-47		Shamona Creek	HQ-TSF,MF	200'	30' Stream	Bore	East Branch Brandywine	Dowlins Forge and Shelmire Roads
		PA-066 PA.02.0188 .03	1882+82	PA-48		Unnamed Tributary to Marsh Creek Lake			5' Stream	Bore	East Branch Brandywine	500' South of Turnstone Way
		PA-067 PA.02 .0192	1911+22- 1912+52	PA-49	PEM PFO (outside of ROW)	Unnamed Intermittent Tributary to Marsh Creek Lake			5' Stream	Bore**	East Branch Brandywine	Approximately 1500 feet south of State Rte. 76 (PA Turnpike)
		PA-069	1967+06- 1967+58	PA-49A	Potential Wetland	Drainage wet from adjacent Cow Pond		50' wet drain	Open cut	Bore (red-bellied turtle)		800' West of SR 0100
		PA-070 PA.02.0203	1995+41- 1999+06	PA-50	Treatment Pond Wetland				250' Pond/ Wetland Crossing	Bore***	Pickering Creek	Directly south of Fellowship Road

NOTICES

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**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-072 PA.02.0208	2045+16	PA-51	Palustrine Emergent Wetland	Pine Creek		200'	150' Wetland; 10' Stream	Bore**	Pickering Creek	Directly south of Fellowship Road
		PA-074 PA.02.0218	2114+70	PA-52	PEM	Birch Run	TSF;MF		150' Wetland; 12' Stream	Bore***	French Creek	500 feet southwest of Horseshow Trail Road
	Pottstown, PA	PA-076 PA.02.0231	2170+00	PA-53		Unnamed Tributary to Birch Run	TSF;MF		20' Stream	Plow	French Creek	Approximately 250 feet Southwest of Birch Run Road
		PA-077 PA.02.0239	2203+86	PA-54		Unnamed Tributary to Birch Run	TSF;MF		2' Stream	Plow	French Creek	550' Northeast of Flowing Springs Road
		PA-077 PA.02.0242, .0243,.0244	2213+00- 2229+86	PA-55	Palustrine Emergent Wetland				1,650' Wetland	Bore**	French Creek	Adjacent to Birch Run
	Phoenixville, PA	PA-080 PA.02.0259	2287+78	PA-56		French Creek	TSF	1,000'	125' Stream	Bore	French Creek	Directly south of Pughtown Road
		PA-081 PA.02.0268.01	2326+77	PA-57	Palustrine Emergent Wetland	Unnamed Tributary to French Creek			200' Wetland; 6' Stream	Bore	French Creek	Directly north of Sheeder Road
		PA-084 PA.02.0272	2393+35- 2395+10	PA-58	Palustrine Emergent Wetland	Stony Run	HQ-TSF	500'	300' Wetland; 10' Stream	Bore**	Schuylkill River	Approximately 1000 feet northeast of Woods Road
		PA-087 PA.02.0293	2493+76	PA-59		Pigeon Creek	HQ-TSF		15' Stream	Bore	Schuylkill River	Directly north of Schuylkill Road
		PA-087	2498+88	PA-59A	Wet drain				2' Meandering channel	Open Cut****		
		PA-088 PA.02.0301	2524+22	PA-60		Unnamed Tributary to Schuylkill River	HQ-TSF		3' Stream	Bore	Schuylkill River	Directly adjacent to Schuylkill River
		PA-088 PA.02.0301	2525+29- 2530+28	PA-61		Schuylkill River	CWF		500' Stream (Chester Co. Portion)	Bore	Schuylkill River	East of Linfield
Montgomery	Phoenixville, PA	PA-089		PA-61		Schuylkill River (Cont'd.)	CWF		500' Stream (Montgomery Co. Portion)	Bore	Schuylkill River	East of Linfield

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-089	2530- 3532+50	PA-62	PEM	Schuylkill River Floodplain			100' Wetland	Bore	Schuylkill River	Between Schuylkill River and toe of Reading Rail Road Bend
		PA-090	2574+25- 2574+75	PA-63					60' Wetland	Bore	Schuylkill River	Just south of Keen Road (Northern)
		PA-091	2585+65	PA-64		Brook Evans Creek			10' Stream Bank-Bank	Bore	Schuylkill River	South of Keen Road (Northern)
		PA-091	2586+45- 2587+20	PA-65	PEM				70' Wetland	Bore	Schuylkill River	North of Keen Road (Northern)
		PA-092	2623+11	PA-66		Possum Hollow Run			10' Stream Bank-Bank	Bore	Schuylkill River	South of Possum Hollow Road
		PA-092	2639+12	PA-67	PEM				Wetland	Bore	Schuylkill River	North of Possum Hollow Road
		PA-094	2687+79	PA-68		Hartenstine Creek			10' Stream Bank-Bank	Plow*	Santoga Creek	East of Penn Road
	Sassmans- ville, PA	PA-096	2734+50- 2737+00	PA-69	PEM				175' Wetland Bank-Bank; 3' Stream	Bore***	Santoga Creek	North of Pruss Hill Road
		PA-097	2774+17- 2779+64	PA-70	PEM Phragmites				500' Wetland	Bore****	Swamp Creek	North of Mill Road
		PA097	2781+16- 2784+26	PA-70A	PEM					Bore***		
		PA-098	2811+42- 2812+04	PA-71		Swamp Creek			60' Stream	Bore	Swamp Creek	South of Swamp Creek Road
		PA-099	2820+75- 2824+20	PA-72	PEM	Tributary to Swamp Creek			350' Wetland; 5' Stream	Bore**	Swamp Creek	North of Swamp Creek Road
		PA-100	2856+19	PA-73		Tributary to Swamp Creek			8' Stream	Plow*	Swamp Creek	North of Keyser Road
		PA101	2877+02	PA-74		Intermittent Stream				Bore***		
		PA-101	2877+82- 2879+61	PA-74A	PEM				200' Wetland; 3' Stream	Bore****		West of Neiffer Road, South of SR 073
		PA-102	2917+04	PA-75		Scioto Creek			15' Stream	Bore	Swamp Creek	Southeast of Perkiomenville Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
Bucks	Perkiomenville, PA	PA-104	2960+34	PA-76		GoshenHopp	Creek		8' Stream	Plow*	Perkiomen Creek	West of Perkiomenville Road, South of Gottshalki Road
		PA-107	3070+25-3072+30	PA-77	PEM-Created	Deep Creek			200' Wetland; 25' Stream	Plow*	Perkiomen Creek	North of Deep Creek Road
		PA-108		PA-77	Bordering Emergent Wetland	Deep Creek (continued)				Bore*** or more info		
		PA-109	3114+94-3125+00	PA-78		Green Lane Reservoir	TSF		990' open water	Bore	Perkiomen Creek	
		PA-110	3145+93	PA-79		Tributary to Green Lane Reservoir			10' Stream	Plow*	Perkiomen Creek	South of SR 29
	Milford Square, PA	PA-112	3210+97-3211+60	PA-80		Macoby Creek	TSF		65' Stream	Bore	Perkiomen Creek	East of Campbell Road
		PA-115	3277+17	PA-81		Tributary to Macoby Creek	TSF		10' Stream	Plow*		
		PA-115	3290+24-3296+75	PA-82	Potential Wetland				75' Pond Edge	Bore****		
		PA-119	3390+61	PA-83A		Hazelback Creek	TSF		8' Stream	Bore*** or more info	Unami Creek	Northeast of Fels Road
		PA-120	3422+00	PA-83B		Potential Wetland			60' Wetland Back-Back	Bore**	Unamie Creek	1,000 feet northeast of Hazelback Creek
		PA-120	3439+16	PA-84		Schmoutz Creek	TSF		30' Wetland; 15' Stream	Plow*	Unami Creek	300 feet west of Kumry Raod
		PA-122	3481+65	PA-85		Intermittent Stream			Intermittent Stream	Bore	Unami Creek	100' East of Turnpike
		PA-122	3487+57-3494+50	PA-86	PEM	Molasses Creek	TSF		200' Wetland; 5' Stream	Bore**	Unami Creek	1,000 feet East of Pennsylvania Turnpike and south of State Route 663 (Spinnerstown-Quakertown Road).
		PA-122	3502+00	PA-87	PEM	Unnamed Intermittent tributary to Molasses Creek			60' Wetland	Plow	Unami Creek	400' south of Quaker Route Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-124	3541+89	PA-088		Licking Creek	TSF		15' Stream	Plow*	Unami Creek	Approximately 3,000 feet northeast of Spinnertown- Quakertown Road.
		PA-124	3544+00	PA-089					50' Wetland	Plow	Unami Creek	
		PA-124	3555+00	PA-090	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek			150' Wetland	Plow	Unami Creek	Approximately 1,000 southeast of Intersection with Allentown Road.
		PA-125	3561+00- 3567-50	PA-091	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek	TSF		450' Wetland	Bore**	Unami Creek	Intersection of Allentown Road.
		PA-126	3589+00- 3601+00	PA-092	Palustrine Forested Wetland	Unnamed Tributary to Unami Creek	TSF		1200' Wetland; 12' Stream	Bore**	Unami Creek	800 feet north of Mill Pond Road.
		PA-126	3606+00- 3610+75	PA-093	Palustrine Scrub Shrub Wetland	Tributary to Unami Creek			125' Wetland; 6' Stream	Bore***	Unami Creek	1,400 feet north of Mill Pond Road.
		PA-126	3618+00- 3621+00	PA-094	PEM	Unnamed Tributary to Unami Creek	TSF		170' Wetland; 6' Stream	Bore**	Unami Creek	At Intersection of unnamed road north of Mill Pond Road, and west of Brick Tavern.
		PA-127	3634+75- 3638+00	PA-095	PEM	Unami Creek			150' Wetland; 20' Stream	Bore****	Unami Creek	1000 feet east of Wiend Road
		PA-127	3646+50- 3648	PA-096	PEM				150' Wetland	Plow	Unami Creek	Just west of old Bethlehem Pike
		PA-128	3650+40- 3653+00	PA-097	PEM				250' Wetland	Bore**	Unami Creek	Just northeast of Old Bethlehem Pike
		PA-130	3719+00- 3720+00	PA-098	PEM				100' Wetland	Bore****	Unami Creek	
		PA-130	3720+85- 3722+90	PA-099	PEM				150' Wetland	Bore	Unami Creek	
		PA-130	3723+66	PA-100		Tributary to Unami Creek			10' Stream	Bore	Unami Creek	
		PA-131	3737+02	PA-101		Tributary to Tohickon Creek			7' Stream	Plow*	Unami Creek	

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
North- ampton	Hellertown, PA	PA-131	3744+34- 3745+85	PA-102	PEM-Pond PUB	Pond			150' Pond	Not Crossing pond****	Tohickon Creek	
		PA-132	3770+17- 3772+14	PA-103	Emergent Wetland				65' Wetland	Plow		
		PA-133	3791+68- 3792+50	PA-104	Palustrine Forested Wetland	Unnamed tributary to Tohickon Creek			95' Wetland; 3-15' Stream	Bore	Tohickon Creek	Directly north of unnamed road in vicinity of Rock Valley.
		PA-138	3960+81	PA-105		Unnamed headwater- Cooks Creek	EV		5' Intermittent Stream	Dry ditch/plow	Cooks Creek	800 feet southwest of Richland Road
		PA-139	3986+20	PA-106		Tributary to Cooks Creek	EV		30' Wetland; 3' Stream	Bore	Cooks Creek	2000 feet northeast of Richland Road
		PA-141	4026+58	PA-107	PEM-PSS	Tributary to Cooks Creek	EV		150' Wetland; 5' Bank- Bank	Bore		2000 feet northeast of SR 412
		PA-143	4085+94	PA-108		Polk Valley Run			12' Bank- Bank	Dry ditch/plow****		300 feet south of Folk Valley Road
		PA-144- 145	4130+52- 4145+50	PA-109	PEM-PSS	Silver Creek (04133+79)			1300' Wetland; 12' Stream; Bank-Bank	Bore**		300-1000 feet south of Wassergrass Road
		PA-147	4196+03	PA-110		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	400 feet south of Apple Street
		PA-147	4196+82	PA-111		Unnamed Tributary to East Branch Saucon Creek			1' Intermittent Stream	Plow*	East Branch Saucon Creek	450 feet south of Apple Street
		PA-150	4276+28	PA-112		Tributary to East Branch Saucon Creek			8' Stream; Bank-Bank	Plow*	East Branch Saucon Creek	500 feet southwest of Easton Road
		PA-150	4277+37	PA-113		East Branch Saucon Creek			12-15' Stream; Bank-Bank	Plow*	Saucon Creek	500 feet southeast of Easton Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Resource Type Stream</i>	<i>Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-151	4327+98	PA-114		Tributary to East Branch Saucon Creek			5' Stream	Bore**	East Branch Saucon Creek	1500 feet southwest of Trichline Road
		PA-155	4439+53	PA-115		Tributary to Frya Run			4' Bank- Bank	Plow*		1200 feet east of Rangeville Road
		PA-159	4557+20	PA-116		Delaware Canal	Park Property and Historic		40' Stream; Bank-Bank	Bore		75 feet east of SR 61
		PA-159	4559+29- 4562+62 (state line)	PA-117		Delaware River			350' to middle of River	Bore		200 feet east of SR 01

KEY:

WWF = Statewide List (Statewide list plus DO2 and Temp2)

CWF = Statewide List plus Cold Water Fish (Statewide List plus DO1 and Temp1)

TSF = Statewide List plus Trout Stocking (Statewide List plus DO5 and Temp3)

HQ-WWF = Statewide List plus High Quality Waters (Statewide List plus DO1 and Temp2)

HQ-CWF = Statewide List plus High Quality Waters and Cold Water Fish (Statewide List plus DO6 and Temp1)

HQ-TSF = Statewide List plus High Quality Waters and Trout Stocking (Statewide List plus DO1 and Temp3)

EV = Statewide List plus Exceptional Value Waters (Existing Quality)

(*) The stream crossing will be completed in the dry. If there is flow at the time of construction, (and inserting is not available) the flow will be diverted away from the work area during construction and the conduit will be installed by plowing (or trenching as needed).

(**) These sites are committed by Transcom to be bored after consultation at USFWS office on regarding Bog Turtle Habitat.

(***) These sites are considered Bog Turtle habitat per M. McCarthy, USFWS on 9/15/99 and must be avoided, including equipment crossings.

(****) Crossing Methods and/or Restrictions per Andy Shiels, PAFBC letter dated 9/16/99.

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E01-208. Encroachment. **Damon Braugher**, 246 Krug Road, Littlestown, PA 17340. To permit an after-the-fact relocation of 150 linear feet of an unnamed tributary to Alloway Creek (WWF) to construct a pond located south of Krug Road approximately 0.75 mile west of Hoffman Horne (Taneytown, PA Quadrangle N: 22.5 inches; W: 4.6 inches) in Mount Joy Township, **Adams County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E05-273. Encroachment. **Stephen Main**, 7316 Tavenner Ln., Alexandria, VA 22306. To construct and maintain an 8-foot diameter reinforced concrete pipe culvert (RCP) at the channel of Smally Spring Branch of Buffalo Run (WWF) and to fill a de minimis area of wetland less than or equal to 0.05 acre for which mitigation is not required. The location is about 3,200 feet from the Buffalo Road (LR 05028) and PA 96 intersection in the Village of Buffalo Mills (Buffalo Mills, PA Quadrangle N: 13.1 inches; W: 4.6 inches) in Harrison Township, **Bedford County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E06-527. Encroachment. **Reading Fair Association**, P. O. Box 13368, Reading, PA 19612. To construct and maintain a pedestrian bridge having a span of 40 feet and an underclearance of 3.6 feet across the channel of a tributary to Plum Creek (WWF) at a point approximately 900 feet downstream of County Welfare Road (Bernville, PA Quadrangle N: 1.1 inches; W: 1.6 inches) in Bern Township, **Berks County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E21-231-R. Encroachment. **The McNaughton Company, Francis McNaughton**, 4400 Deer Path Road, Ste. 201, Harrisburg, PA 17110. To reissue Permit No. E21-231 to The McNaughton Company to construct and maintain two outfall structures with energy dissipaters along the right bank of the Conodoguinet Creek. These outfalls have sizes of 71-inch × 47-inch and 30-inch diameter (Lemoyne, PA Quadrangle N: 22.7 inches; W: 13.76 inches) in Hampden Township, **Cumberland County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E31-100-R. Encroachment. **Huntingdon County Commissioners**, Courthouse, Huntingdon, PA 16652. Renewal to remove the existing structure known as the Frenh Bridge, which will include the removal of the bridge deck, steel superstructure and stone masonry abutments, and to construct and maintain County Bridge No. 1 having two clear spans of 63.4 feet each on a 70 degree skew with an underclearance of 11.5 feet across Sideling Hill Creek (HQ-CWF) on Township Road 313 (Orbisonia, PA Quadrangle N: 1.2 inches; W: 16.3 inches) in Springfield Township, **Huntingdon County**.

E36-680. Encroachment. **PA Dept. of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove a structurally deficient structure, construct and maintain a single span prestressed concrete spread box beam bridge having a clear span of 24.5 feet on a 75 degree skew with a minimum underclearance of 8.5 feet across Stoney Run (WWF) on SR 272 Section 012 (Ephrata, PA Quadrangle N: 16.25 inches; W: 17.25

inches) in East Cocalico Township, **Lancaster County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Northcentral Region: Water Management, Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.

E12-114. Encroachment. **Borough of Emporium**, 421 North Broad Street, Emporium, PA 15834. To remove a gravel bar, 125 feet long by 75 feet wide, in Driftwood Branch Sinnemahoning Creek just upstream of the railroad bridge; to remove a gravel bar, 145 feet long by 30 feet wide, in West Creek just upstream of the confluence with Driftwood Branch Sinnemahoning Creek; to remove a gravel bar, 150 feet long by 80 feet wide, in Driftwood Branch Sinnemahoning Creek just downstream of the confluence with West Creek; and to maintain six drain pipes for minor, regular maintenance at an existing dike system located on the southern boundary of the Borough of Emporium (Emporium, PA Quadrangle N: 1.5 inches; W: 16.0 inches) in the Borough of Emporium, **Cameron County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E14-355. Encroachment. **David L. Nevins**, P. O. Box 10414, State College, PA 16805. To construct and maintain 750 feet of stream relocation which shall be lined with a 20 mil. thick PVC liner or equivalent and to install a 76 inch by 48 inch by 53 feet oval concrete culvert pipe in an unnamed tributary to Buffalo Run located 2 miles west on Rt. 550 from the intersection with Rt. 322, turn right at the intersection of Rt. 550 and Julian Pike Road (Julian, PA Quadrangle N: 16 inches; W: 7.5 inches) in Patton Township, **Centre County**.

E18-279. Encroachment. **Ken Passell**, Route 220, P. O. Box 792, Jersey Shore, PA 17740. To remove the existing pavilion and to construct a new pavilion 34 feet by 16 feet in the floodway of the West Branch Susquehanna River located off SR 1001 approximately 1.5 miles west of Lockport (Lock Haven, PA Quadrangle N: 4.8 inches; W: 12.3 inches) in Woodward Township, **Clinton County**. This permit was issued under § 105.13(e) "Small Projects."

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E03-383. Encroachment. **Armstrong County Industrial Development Authority**, Armstrong County Department of Planning and Development, 402 Market Street, Kittanning, PA 16201-1485. To construct and maintain a 280.0-foot long, 12.0-foot × 4.0-foot concrete arch culvert in an unnamed tributary to Nicholson Run (WWF) and a 250.0-foot long, 16.0 foot × 5.0-foot concrete arch culvert in an unnamed tributary to Nicholson Run (WWF) for the purpose of providing access to the proposed Slate Lick Mixed-Use Park. The culverts are located approximately 3,000 feet and 2,400 feet upstream of the confluence with Nicholson Run (Kittanning, PA Quadrangle N: 1.2 inches; W: 16.6 inches) in South Buffalo Township, **Armstrong County**.

E03-384. Encroachment. **Armstrong County Industrial Development Authority**, Armstrong County Department of Planning and Development, 402 Market Street, Kittanning, PA 16201-1485. To remove the existing structure and to construct and maintain a 165.0-foot long, 20.0-foot × 8.0-foot concrete arch culvert in Nicholson Run (WWF) for the purpose of providing access to the proposed Slate Lick Mixed-Use Park. The project is located

on Bable Road, approximately 3,000 feet downstream of the point where S. R. 3006 crosses Nicholson Run (Kittanning, PA Quadrangle N: 1.5 inches; W: 15.6 inches) in North Buffalo Township, **Armstrong County**.

E03-386. Encroachment. **Armstrong County Industrial Development Authority**, Armstrong County Department of Planning and Development, 402 Market Street, Kittanning, PA 16201. To place and maintain fill in 1.46 acres of PEM/PSS wetlands in the watersheds of Pine Run (HQ-TSF) and Nicholson Run (WWF) for the purpose of developing the proposed Slate Lick Mixed-Use Park. To compensate for wetlands loss, the permittee shall construct a minimum of 1.46 acres of replacement wetlands. The project is located off of Boyd Road (Kittanning, PA Quadrangle N: 1.5 inches; W: 15.6 inches) in North and South Buffalo Townships, **Armstrong County**.

E02-1269. Encroachment. **Seth Siegel**, 908 Highlander Circle, Wexford, PA 15090. To construct and maintain a bridge having a span of 13.0 feet with an underclearance of 7.7 feet across Big Sewickley Creek (TSF) and to place and maintain fill in a de minimis area of wetlands (PEM/PSS) to provide access to applicant's property located on the east side of Spang Road, approximately 1,500 feet north from the intersection of Spang Road and Locust Road (Baden, PA Quadrangle N: 5.15 inches; W: 1.75 inches) in Marshall Township, **Allegheny County**.

E65-737. Encroachment. **Unity Township Board of Supervisors**, 1104 Beatty County Road, Latrobe, PA 15650. To remove the existing structure and to construct and maintain a bridge having a normal clear span of 14.33 m and an underclearance of 2.45 m across Ninemile Run (WWF). The structure is located on T-896 (Schultz Lane) at a point approximately 200 feet north of its intersection with S. R. 982 (Derry, PA Quadrangle N: 3.40 inches; W: 17.17 inches) in Unity Township, **Westmoreland County**.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Approvals and Actions on 401 Certifications.

EA16-003NW. Environmental Assessment. **PA Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Rachel Carson State Office Building, P. O. Box 8476, Harrisburg, PA 17105-8476. To eliminate a total of 2,300 linear feet of dangerous high wall, to relocate approximately 1,300 linear feet of stream channel, to construct a 0.6 acre replacement wetland, and to eliminate four separate bodies of water (total surface area approximately 1 acre) as part of a restoration/reclamation project of an abandoned strip mine located approximately 3,200 feet northwest of the intersection of S. R. 0068 and S. R. 3004 in the Village of New Athens (Rimersburg, PA Quadrangle N: 3.6 inches; W: 6.3 inches) located in Madison Township, **Clarion County**.

SPECIAL NOTICES

Recycling Grant Awards under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Municipalities Financial Recovery Act (53 P. S. §§ 11701.101—11701.501) are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101

Section 902 Recycling Development and Implementation Grants

Bureau of Land Recycling And Waste Management

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
<i>Southeast Region</i>		
1 Bensalem Township Bucks County	Public Area & Multi-family Recycling	\$ 22,929
2. Richland Township Bucks County	Yardwaste Collection	\$ 18,000
3 Lower Makefield Township Bucks County	Yardwaste Collection	\$ 39,254
4 Chester County	Drop-off Recycling & Wood Waste Processing	\$162,604
5 City of Coatesville Chester County	Curbside Recycling	\$ 13,311
6 East Fallowfield Township Chester County	Recycling Center Improvements	\$ 71,073
7 Easttown Township Chester County	Home Composting	\$ 19,012
8 London Grove Township Chester County	Yardwaste Collection	\$ 34,057

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
9 Schuylkill Township Chester County	Curbside Recycling	\$ 2,457
10 West Whiteland Township Chester County	Public Area Recycling	\$ 12,447
11 City of Chester Delaware County	Yardwaste Collection	\$ 36,979
12 Darby Borough Delaware County	Yardwaste Composting	\$ 22,500
13 Delaware County	Drop-off Recycling & Recycling Education	\$ 15,795
14 Lansdowne Borough Delaware County	Curbside Recycling & Yardwaste Collection	\$ 100,135
15 Media Borough Delaware County	Curbside & Drop-off Recycling	\$ 70,394
16 Nether Providence Twp. Delaware County	Curbside Recycling	\$ 9,932
17 Sharon Hill Borough Delaware County	Yardwaste Composting	\$ 22,500
18 Upper Darby Township Delaware County	Yardwaste Collection	\$ 90,252
19 Upper Merion Township Montgomery County	Recycling Education	\$ 2,548
20 Upper Moreland Township Montgomery County	Yardwaste Composting	\$ 95,080
21 City of Philadelphia Philadelphia County	Curbside & Commercial Recycling	\$1,350,000
<i>Northeast Region</i>		
22 Moosic Borough Lackawanna County	Curbside Recycling	\$ 12,321
23 Taylor Borough Lackawanna County	Yardwaste Collection	\$ 14,742
24 City of Allentown Lehigh County	Yardwaste Composting & Recycling Education	\$ 138,787
25 Coplay Borough Lehigh County	Curbside Recycling	\$ 20,579
26 Lehigh County	Yardwaste Composting	\$ 323,505
27 Lynn Township Lehigh County	Curbside Recycling	\$ 1,012
28 North Whitehall Township Lehigh County	Recycling Education	\$ 1,261
29 Salisbury Township Lehigh County	Yardwaste Collection	\$ 13,500
30 Dallas Township Luzerne County	Yardwaste Composting	\$ 363,240
31 Dupont Borough Luzerne County	Curbside Recycling	\$ 13,494
32 Exeter Borough Luzerne County	Recycling Center Improvements	\$ 145,717
33 Laflin Borough Luzerne County	Curbside Recycling	\$ 1,699
34 West Pittston Borough Luzerne County	Curbside & Drop-off Recycling	\$ 49,500
35 Delaware Water Gap Boro Monroe County	Curbside Recycling	\$ 1,025
36 East Stroudsburg Borough Monroe County	Recycling Center Improvements	\$ 103,905

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
37 Hamilton Township Monroe County	Curbside Recycling	\$ 3,574
38 Monroe County	Drop-off Recycling & Recycling Education	\$769,626
39 City of Bethlehem Northampton County	Curbside, Drop-off & Recycling Education	\$380,493
40 Bethlehem Township Northampton County	Yardwaste Collection	\$ 40,500
41 Upper Mt. Bethel Township Northampton County	Curbside Recycling	\$ 7,560
42 Mahanoy City Borough Schuylkill County	Yardwaste Collection	\$ 89,552
43 Susquehanna County	Recycling Center Improvements	\$827,733
44 Sterling Township Wayne County	Drop-off Recycling	\$ 2,046
45 Wayne County	Recycling Center Improvements	\$ 5,942
46 Wyoming County	Recycling Center	\$964,354
<i>Southcentral Region</i>		
47 Broad Top Township Bedford County	Yardwaste Composting	\$ 14,275
48 Bernville Borough Berks County	Curbside Recycling	\$ 3,988
49 Exeter Township Berks County	Yardwaste Collection	\$ 25,200
50 Mohnton Borough Berks County	Curbside Recycling & Yardwaste Collection	\$ 13,719
51 City of Reading Berks County	Curbside & Institutional Recycling	\$321,705
52 Robeson Township Berks County	Yardwaste Collection	\$ 13,680
53 Wyomissing Borough Berks County	Yardwaste Collection	\$ 39,744
54 Allegheny Township Blair County	Yardwaste Collection	\$ 18,440
55 Blair County	Drop-off Recycling & Yardwaste Composting	\$162,515
56 Carlisle Borough Cumberland County	Yardwaste Collection	\$ 19,296
57 East Pennsboro Township Cumberland County	Yardwaste Collection	\$ 69,534
58 Lower Allen Township Cumberland County	Yardwaste Collection	\$ 36,750
59 Middlesex Township Cumberland County	Curbside Recycling	\$ 6,395
60 New Cumberland Borough Cumberland County	Curbside Recycling & Yardwaste Collection	\$ 23,130
61 Shippensburg Borough Cumberland County	Processing Equipment	\$ 11,358
62 Dauphin County	Office Recycling	\$ 13,439
63 Middle Paxton Township Dauphin County	Curbside Recycling	\$ 7,685
64 Franklin County	Yardwaste Composting	\$102,474
65 Southampton Township Franklin County	Yardwaste Collection	\$ 43,333

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
66 Huntingdon Borough Huntingdon County	Yardwaste Collection & Recycling Center	\$ 162,000
67 Huntingdon County	Institutional Recycling	\$ 8,478
68 Columbia Borough Lancaster County	Yardwaste Collection	\$ 32,742
69 City of Lancaster Lancaster County	Home Composting	\$ 41,538
70 Lancaster County	Curbside Recycling	\$ 2,402
71 Manheim Township Lancaster County	Yardwaste Composting	\$ 537,437
72 Manor Township Lancaster County	Yardwaste Collection & Composting	\$ 30,870
73 Cornwall Borough Lebanon County	Yardwaste Collection	\$ 32,742
74 City of Lebanon Lebanon County	Drop-off Recycling	\$ 98,934
75 Lebanon County	Drop-off Recycling	\$ 61,035
76 North Lebanon Township Lebanon County	Yardwaste Collection	\$ 82,279
77 North Londonderry Twp. Lebanon County	Yardwaste Collection	\$ 30,330
78 Perry County	Drop-off & Institutional Recycling	\$ 180,000
79 Manchester Township York County	Yardwaste Collection	\$ 35,102
80 Springettsbury Township York County	Yardwaste Collection	\$ 35,586
<i>Northcentral Region</i>		
81 Bradford County	Yardwaste Composting	\$ 58,500
82 Centre County	Recycling Center Improvements	\$1,500,000
83 Ferguson Township Clearfield County	Yardwaste Composting	\$ 19,317
84 Clinton County	Recycling Center Improvements	\$ 86,715
85 City of Lock Haven Clinton County	Yardwaste Collection	\$ 14,760
86 South Renovo Borough Clinton County	Yardwaste Composting	\$ 33,228
87 Beaver Township Columbia County	Yardwaste Composting	\$ 18,445
88 Benton Township Columbia County	Yardwaste Composting	\$ 16,672
89 Town of Bloomsburg Columbia County	Recycling Center & Yardwaste Collection	\$ 36,996
90 Scott Township Columbia County	Yardwaste Collection	\$ 21,375
91 Lycoming County	Drop-off Recycling	\$ 91,177
92 Sullivan County	Recycling Education & Commercial Recycling	\$ 28,530
<i>Southwest Region</i>		
93 City of Duquesne Allegheny County	Recycling Education	\$ 11,500
94 Elizabeth Township Allegheny County	Curbside Recycling & Yardwaste Collection	\$ 255,820

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
95 Franklin Park Borough Allegheny County	Curbside Recycling	\$ 33,171
96 Marshall Township Allegheny County	Yardwaste Composting	\$ 18,738
97 Moon Township Allegheny County	Yardwaste Collection	\$ 39,375
98 North Fayette Township Allegheny County	Curbside Recycling	\$ 85,788
99 Ohio Township Allegheny County	Curbside Recycling	\$ 5,432
100 Penn Hills Municipality Allegheny County	Yardwaste Collection & Composting	\$ 82,485
101 Reserve Township Allegheny County	Yardwaste Collection	\$ 42,205
102 Stowe Township Allegheny County	Yardwaste Collection	\$ 64,427
103 Armstrong County	Materials Processing Equipment	\$ 10,714
104 Leechburg Borough Armstrong County	Processing Equipment	\$ 26,334
105 City of Aliquippa Beaver County	Curbside Recycling	\$ 91,270
106 Brighton Township Beaver County	Yardwaste Composting	\$ 20,340
107 Midland Borough Beaver County	Drop-off Recycling	\$ 19,872
108 Patterson Heights Borough Beaver County	Yardwaste Collection	\$ 31,950
109 Raccoon Township Beaver County	Drop-off Recycling & Yardwaste Composting	\$120,339
110 Cambria County	Drop-off Recycling	\$355,500
111 Masontown Borough Fayette County	Curbside Recycling	\$ 3,933
112 Indiana County	Recycling Center Improvements	\$499,615
113 City of Monessen Westmoreland County	Yardwaste Collection	\$ 18,628
114 Mt. Pleasant Township Westmoreland County	Yardwaste Composting	\$ 19,571
115 N. Belle Vernon Borough Westmoreland County	Yardwaste Collection	\$ 57,310
116 Youngwood Borough Westmoreland County	Yardwaste Collection	\$ 17,496
<i>Northwest Region</i>		
117 Butler County	Drop-off & Institutional Recycling	\$181,232
118 Crawford County	Drop-off Recycling	\$791,500
119 City of Erie Erie County	Yardwaste Collection	\$ 80,500
120 Erie County	Recycling Education	\$317,433
121 Harborcreek Township Erie County	Home Composting	\$ 10,058
122 Lawrence Park Township Erie County	Yardwaste Collection	\$ 18,644
123 Millcreek Township Erie County	Home Composting & Institutional Recycling	\$ 38,741

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
124 Summit Township Erie County	Curbside Recycling	\$ 4,315
125 Jefferson County	Curbside Recycling	\$157,923
126 Lawrence County	Yardwaste Composting & Institutional Recycling	\$133,102
127 Mercer County	Recycling Education	\$ 13,950
128 Venango County	Composting Education	\$ 5,179
129 City of Warren Warren County	Yardwaste Collection	\$ 40,950

[Pa.B. Doc. No. 99-2047. Filed for public inspection December 3, 1999, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "1999 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Guidance—Substantive Revision

DEP ID: 013-2000-001 Title: Policy for the DEP Money-Back Guarantee Permit Review Program Description: In 1995, this policy was prepared in response to Executive Order (1995-5) which established processing times for certain DEP permits. In short, this policy states that if the Department fails to meet the processing time published, the Department will refund the permit processing fee. The recent changes to the Money-Back Guarantee Review Program are designed to clarify the reading of the information and of the overall (existing) process involved. Section I, C, *Updates to Website* is a newly added section. Anticipated Effective Date: January 10, 2000 Comment Period Ends: January 5, 2000 Contact: Kim Nelson at (717) 783-8552 or fax number (717) 783-8926, or E-mail at Hoke.Wanita@dep.state.pa.us

Final Guidance

DEP ID: 383-3310-609 Title: PADWIS Reporting Description: This guidance applies to all DEP staff who maintain the public water system inventory. This guidance establishes uniform instructions and protocol for accessing and printing computerized inventory data for public water systems in support of the Safe Drinking Water Program. Effective Date: December 4, 1999 Contact: Trudy Troutman at (717) 787-0122.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-2048. Filed for public inspection December 3, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Rate Adjustment

Under 42 Pa.C.S. § 6152 (P.L. 1458, No. 145, as amended), the Secretary of Health is directed to adjust annually the amounts which may be charged by a health care facility or health care provider upon receipt of a request or subpoena for production of medical charts or records. Under 42 Pa.C.S. § 6152.1, the Secretary is directed to make a similar adjustment to the flat fee which may be charged by a health care facility or health care provider for the expense of reproducing medical charts or records where the request is for the purpose of supporting a claim or appeal under the Social Security Act or any Federal or State financial needs based benefit program.

The Secretary is directed to base these adjustments on the most recent changes in the consumer price index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 1998, through October 31, 1999, the consumer price index was 2.6%.

Accordingly, the Secretary provides notice that, effective January 1, 2000, the following payments may be charged by a health care facility or health care provider for production of records in response to request or subpoena:

	Not to exceed
Search and retrieval of records:	\$15.39
Amount charged per page for pages 1-20:	\$ 1.03
Amount charged per page for pages 21-60:	\$ 0.77

Search and retrieval of records:	Not to exceed \$15.39
Amount charged per page for pages 61-end:	\$ 0.26
Amount charged per page for microfilm copies:	\$ 1.54
Flat fee for production of records to support claims under Social Security Act or claims under other Federal or State financial needs based benefits programs	\$19.49

Questions or inquiries concerning this notice should be sent to: Helen Burns, Acting Director, Bureau of Facility Licensure and Certification, 930 Health and Welfare Building, Harrisburg, PA 17108, or call V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-2049. Filed for public inspection December 3, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Montgomery County

Project Reference No. 08430AG2457

The Department will retain an engineering firm to perform environmental studies, preliminary engineering, final design, and construction consultation for S.R. 0202, Section 610, U.S. 202 Widening in Norristown Borough, East Norriton Township, and Whitpain Township, Montgomery County. This project is a portion of the Selective Widening Alternative for U.S. 202 from Johnson Highway in Norristown Borough to Morris Road in Whitpain Township, Montgomery County as outlined in the U.S. 202, Section 600, Pre-Final Environmental Impact Statement (April, 1998).

The limits of the project are from U.S. 202 from Johnson Highway in Norristown Borough, Montgomery County to Morris Road in Whitpain Township, Montgomery County; a distance of approximately 4.27 miles. The estimated construction cost of this portion is \$45 million.

The selected firm will be required to provide the following engineering and design services: surveys; road-way design; pavement design; preparation of cross sections; soils and geological investigations; erosion and sedimentation control design; right-of-way investigation and plan preparation; structure design; hydrologic and hydraulic analysis; preparation of traffic control, pavement marking and signing plans; traffic signal design; sign lighting plans; utility coordination and design; coordination with PUC, PennDEP, U.S. Army Corps of Engineers, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; construction consultation; and all other related services required to complete the environmental studies, preliminary engineering, final design, and construction consultation for this project.

The selected firm will also be required to provide environmental mitigation services as specific in the Record of Decision (ROD) to complete the following: groundwater protection, wetland creation/replacement, hazardous waste contamination remediation, landscaping design, and noise abatement. These services will be conducted to complete the design and construction proposals. The selected firm will be required to provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, conduct agency and public involvement activities, and prepare reports and plans. The reports and other written graphic material to be prepared may include, but are not limited to, amended Section 106 documents, mitigation plan and reports, environmental re-evaluation documents; Section 4(f) evaluations, meeting minutes, and coordinating the development of the design with various agencies and special interest groups.

Firms that are currently serving, or are being considered for selection as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment.

Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Tim O'Brien, at the telephone number listed below.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

Letters of interest will be evaluated at the Engineering District 6-0 with emphasis on the following factors listed in order of importance:

- Proven ability to meet project schedules and control costs.
- Specialized experience and technical competence of project manager and the individuals who constitute firm's team.
- Past record of performance on similar projects in work quality, and capability of coordination efforts between the Department, subconsultants, various agencies, and the public.
- Innovations and flexibility in thinking, particularly with respect to the needs of the local communities.
- Geographic location of the consultant with respect to District 6-0.

Engineering District 6-0 will announce the firms that have been shortlisted at an open public meeting to be held in Room 317 at 10:00 A.M. in the District office at 7000 Geerdes Boulevard, King of Prussia, PA 19406 on January 6, 2000.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and six (6) additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Andrew L. Warren, District Administrator
Engineering District 6-0
200 Radnor-Chester Road
St. Davids, PA 19087
Attention: Mr. Randy Wanger, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Tim O'Brien, P.E., District 6-0, at (610) 964-6526, or Mr. Randy Wanger, P.E., District 6-0, at (610) 964-6548.

Centre County

Project Reference No. 08430AG2458

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately nineteen (19) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 6220, Section C11, Centre County, Route 220 relocation. This project involves the construction of a four (4) lane limited access highway on new alignment approximately 1.4 miles in length with five (5) structures (one culvert and four multi-span bridges).

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.

b. Past Performance.

c. Understanding of Department's requirements, policies, and specifications.

d. Number of available inspectors in each payroll classification.

e. Number of NICET certified inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	2 (2)

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (6)*
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (0)

* One TCI must be CDS certified
One TCI must be Concrete certified
One TCI must be Bituminous Field certified

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Depart-

ment in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

1 Nuclear Densometer Gauge/License (at point of need when needed)

5 Cellular Phones

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 or TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	3
TCIS	4
TCI-M	2
TCI	12

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. George M. Khoury, P.E., District Engineer
Engineering District 2-0
1924-30 Daisy Street, P. O. Box 342
Clearfield, PA 16830

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Steven L. Fantechi, P.E., District 2-0, at (814) 765-0677.

Centre County

Project Reference No. 08430AG2459

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twenty-one (21) inspectors, under the

Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 6220, Section A11, Centre County, Route 220 relocation. This project involves the construction of a four (4) lane limited access highway on new alignment approximately 2.3 miles in length with thirteen (13) structures (five (5) single span bridges, two (2) box culverts, five (5) multi-span bridges, and one (1) bridge rehabilitation).

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating

an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.

b. Past Performance.

c. Understanding of Department's requirements, policies, and specifications.

d. Number of available inspectors in each payroll classification.

e. Number of NICET certified inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1)	2 (2)
(NICET Highway Construction Level 4 or equivalent)	
Transportation Construction Ins. Super. (TCIS)	3 (3)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector - Materials (TCI-Materials)	1 (1)
(NICET Highway Materials Level 2 or equivalent)	
Transportation Construction Inspector (TCI)	12 (7) *
(NICET Highway Construction Level 2 or equivalent)	
Technical Assistant (TA)	3 (0)
(NICET Highway Construction Level 1 or equivalent)	

* One TCI must have a CDS certification
One TCI must have a Concrete certification
One TCI must have a Bituminous Field certification

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

1 Nuclear Densometer Gauge/License (at point of need when needed)

5 Cellular Phones

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and/or TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	3
TCIS	4
TCI-M	2
TCI	15

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. George M. Khoury, P.E., District Engineer
Engineering District 2-0
1924-30 Daisy Street, P. O. Box 342
Clearfield, PA 16830

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Steven L. Fantechi, P.E., District 2-0, at (814) 765-0677.

Philadelphia County

Project Reference No. 08430AG2460

The Department will retain an engineering firm to perform preliminary engineering, environmental documentation, final design and services during construction for S.R. 0095, Section BR1, Delaware Expressway (I-95) in the City of Philadelphia, from Wheatsheaf Lane to Orthodox Street, a distance of approximately 1.294 km (0.804 miles). The estimated construction cost of this project is \$60 million. The expressway reconstruction will include structure replacement, structure rehabilitation and modification, roadway reconstruction, roadway improvements (signs, lighting and drainage) and landscaping.

The selected firm will be required to provide the following engineering, environmental and design services: C.E.E. Level IV/Section 4(f) document preparation; surveys; roadway design; drainage design; roadside development design; preparation of cross sections; erosion and sedimentation control design; structure design; subsurface boring, sampling and testing; noise analysis; preparation of traffic control plans, pavement marking and signing plans; traffic signal design; traffic analysis; utility coordination; coordination with public agencies, municipal officials, the public, and all other related services to complete preliminary engineering, environmental documentation, final design and services during construction.

Firms that are currently serving, or are being considered for selection, as municipal engineer in the municipality listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Michael J. Girman, III, at the telephone number listed below.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

Letters of Interest will be evaluated at the Engineering District 6-0 office with emphasis on the following factors listed in order of importance:

a. Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.

b. Experience of employees to be associated with this project. Particularly important are the key people assigned to the project including their experience and past record of performance with similar projects.

c. Past performance record.

d. Relative size of firm to size of project to be completed under this Agreement.

e. Innovations and flexibility in thinking, particularly with respect to the needs of the local communities.

f. Geographic location of the consultant with respect to District 6-0.

Engineering District 6-0 will announce the firms that have been shortlisted at an open public meeting to be held in the District Office at 7000 Geerdes Boulevard, King of Prussia, PA on January 5, 2000.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and six (6) additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Andrew L. Warren, District Administrator
Engineering District 6-0
200 Radnor-Chester Road
St. Davids, PA 19087
Attention: Mr. Michael J. Girman, III

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Tim O'Brien, P.E., District 6-0, at (610) 964-6526, or Mr. Michael J. Girman, III, District 6-0, at (610) 964-6530.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who

submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2050. Filed for public inspection December 3, 1999, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Giorgio Foods, Inc. v. DEP; EHB Doc. No. 99-229-K

Giorgio Foods, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Maidencreek Township, Berks County. A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 99-2051. Filed for public inspection December 3, 1999, 9:00 a.m.]

FISH AND BOAT COMMISSION

Designation of 1999 Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the list of Class A Wild Trout Streams as set forth at 29 Pa. B. 4624 (August 28, 1999) and 29 Pa.B. 4831 (September 11, 1999). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of the Commonwealth's naturally reproducing trout fisheries. The Com-

mission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 99-2052. Filed for public inspection December 3, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (i) of the act (75 P. S. § 745.5a(h)(I)).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulations must be submitted by the dates indicated.

Reg No.	Agency/Title	Issued	<i>Final-Form</i>
			<i>Submission</i> <i>Deadline</i>
15-410	Department of Revenue Utility Gross Receipts Tax	11/18/99	10/18/01

(29 Pa.B. 4873 (September 18, 1999))

Department of Revenue Regulation No. 15-410

Utility Gross Receipts Tax

November 18, 1999

We have reviewed this proposed regulation from the Department of Revenue (Department) and submit for consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to statutory authority, consistency with the statute, legislative intent, reasonableness, need and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 160.21. Scope.—Consistency With Statute and Clarity.

This section appears to accurately describe the Department's scope. However, portions of the regulation give the impression that the Department is responsible for areas beyond this scope.

The regulation appears to address Electric Generation Supplier (EGS) licensing in Section 160.41, and the possibility of double taxation of customers in Section 160.31. Under section 2809 of the Electricity Generation

Customer Choice and Competition Act (act) (66 Pa.C.S. § 2809), the Public Utility Commission (PUC) is authorized to handle these issues. The PUC has authority over the EGS' license and the associated bond ensuring financial responsibility. Section 2809(c)(2) of the act allows an Electric Distribution Company (EDC) that had to pay an EGS' tax to "collect or seek reimbursement of the tax so paid from the electricity provider [EGS] *or any other appropriate party that used the electricity in this Commonwealth.*" (Emphasis added.) While the potential exists for a double tax, this would occur in ratemaking proceedings under the PUC's jurisdiction, not collection proceedings undertaken by the Department.

Therefore, the Department should clarify the scope of the regulation both within this section and in other sections as stated later in these comments.

2. Section 160.22. Definitions.—Consistency With Statute, Legislative Intent, Reasonableness, Need and Clarity.

Failure to otherwise comply.

The Department should explain the intent of the definition for "failure to otherwise comply." What is the meaning of the phrase "*all applicable taxes under the TRC [Tax Reform Code]?*" (Emphasis added.) Section 2809(c) of the act directs an EGS to certify to the PUC payment of taxes imposed by Articles II and XI of the TRC. Does the Department intend this phrase to apply to all taxes or just to the gross receipts tax?

The definition should also clarify the meaning of the phrase "within the time period and in the manner provided by law" by citing the appropriate statute. Additionally, how was the compliance standard "paying less than 75%" derived?

Related services.

The definition of "related services" is vague. Further, it appears this term is used only in the definition of "sales of electric energy." The Department should explain the need for this term. If it's needed, the Department should clarify the meaning of the term by incorporating its substance in the definition of "sales of electric energy."

Retail electric customer.

This regulation refers to the statutory definition of "retail electric customer." However, the Department uses terms such as "end-use customer" and "end-user" in different parts of the regulation. Since terms such as end-user are included in the statutory definition of "retail electric customer," we recommend consistent use of that term.

Sales of electric energy.

The regulation's definition of "sales of electric energy" appears to be broader than subsection 2810(j) of the act. The regulation's definition includes items such as "capacity charges," "demand charges" and "related services" not mentioned in the act. What is the basis for including these additional items and expanding the statutory term in the regulation?

State tax information.

This term is defined as "the information maintained by the Department that is necessary for the administration of 66 Pa.C.S. §§ 2806 and 2809. . . ." Since it is only used in subsection 160.41(d), it may be clearer to define the specific information in subsection 160.41(d).

3. Section 160.31. Tax on the use of electricity.—Statutory Authority, Reasonableness, Need and Clarity.

Subsection (a) Tax imposed.

The Preamble states that subsection (a) describes when the tax on the use of electricity will be imposed on an EDC under sections 2806(g)(3)(iii) and 2809(c)(2) of the act. As written, subsection (a) is confusing. It rephrases the statute and uses terms not found in sections 2806(g)(3)(iii) and 2809(c)(2). Since the statute provides a clear description of the circumstances under which an EDC must remit the unpaid tax of an EGS, language is not needed beyond the statutory citations.

Subsection (b) Failure of electricity supplier to report and pay tax on gross receipts.

In Subsection (b)(2), the Department uses the EDC's "shopping credit provided to customers" to estimate unpaid taxes. The PUC commented that shopping credits are a transition device that will cease to exist when the transition to competition is completed. The PUC believes a better surrogate for estimating gross receipts is the "Provider of Last Resort" generation rate. Therefore, the Department should use a reasonable rate that will continue to exist after the transition to competition is complete.

Subsection (c) Indemnification of electric distribution company that has paid use tax.

There are three concerns with this subsection.

First, subsection (c) is confusing. This subsection addresses problems that occur after the Department has collected the tax. The resolution of these problems is under the PUC's jurisdiction. Therefore, subsection (c) is not needed or appropriate.

Second, the phrase "may collect or seek indemnification or reimbursement" is vague. For clarity, the Department should explain the difference between these terms. If there is no difference, the Department should eliminate one of the terms.

Finally, the phrase "or from the end-user of the electricity in this Commonwealth" is vague. Why would an EDC file with the Department when seeking reimbursement from an end-user? Additionally, as noted above, the term "end user" should be replaced with "retail electric customer."

Subsection (d) Duplicate payments.

Subsection (d) doesn't describe how and when the Department will refund an over-collection of tax. Also, it doesn't require notification to the PUC, which may have separate ongoing proceedings involving the EGS and EDC. The Department should add procedures for reimbursement to the EDC when duplicate payments are made and explain how notice of the outcome of these procedures would be given to the PUC.

Subsections (d)(2) and (d)(3) specify how an EDC must reflect taxes on the customer's bill. Billing is under the PUC's jurisdiction. Therefore the Department should delete subsections (d)(2) and (d)(3).

Subsection (e) Effect on unpaid gross receipts tax.

Subsection (e) states that the liability of the EGS for unpaid tax, interest or penalties is not extinguished when the EDC is forced to pay the EGS' tax. This subsection should also specify that the EDC is not responsible for penalties or interest assessed against the EGS.

4. Section 160.41. Electric generation license procedures.—Statutory Authority, Reasonableness, Need and Clarity.

Licensing.

Naming this section "Licensing" is unclear. This section relates to actions the Department, with the cooperation of the PUC, may initiate against an EGS that hasn't settled its tax liability. The title of this section could also cause confusion with the actual licensing procedures contained in the PUC's regulations. For clarity, the Department should consider renaming this section "Electric Generation Supplier Tax Liability."

Coordination of information.

Subsection (a) states "Upon request from the Commission, the Department will confirm that an applicant has no tax liabilities. . . ." Subsection (b) requires that "the Commission shall provide the Department with a list of licensed electric generation suppliers. . . ." Subsection (d) states that "the Commission may request the state tax information necessary to ascertain compliance with the requirements for licensure or to institute licensure revocation proceedings."

The PUC objects to being directed by the Department to provide information. However, in the same comments, the PUC affirms it will continue its practice of cooperating with the Department. Clearly, the Department and the PUC must coordinate information. However, this information could be exchanged by means other than directives in regulation, such as through a Memoranda of Understanding. The Department should explain the need and authority for placing this requirement on the PUC in this regulation.

Subsection (a) License application.

Subsection (a) uses the phrase "an applicant has no liabilities not subject to appeal." The use of a double negative affects the clarity of this sentence. The Department should rewrite Subsection (a).

Subsection (b) Licensed electric generation suppliers.

We have four questions on this subsection. First, subsection (b) requires the PUC to provide the Department with specific information about any EGS. This directive does not appear in the act. Therefore, we request the Department provide the statutory basis for this provision. As an alternative, the language could state the Department will "request" the information from the PUC.

Second, among the information the PUC shall provide the Department is "similar identification numbers." We are unsure as to the meaning of this phrase. The Department should define or clarify "similar identification numbers."

Third, the Department asks for "any other information the Department will require." This phrase is vague. Is this information related to the gross receipts tax status of an EGS or other tax liability? The Department should revise this phrase to state what other information the PUC will be required to submit.

Finally, we question the inclusion of the dates, May 1, 1998, and July 30, 1998, in this subsection. We understand that these dates are specifically stated in the act. However, using "1998" is confusing, as these dates have passed. To improve clarity, the Department should consider using solely "May 1" and "July 30."

Subsection (c) Procedures.

Subsection (c)(1) uses the terms "applicant," "EGS" and "entity." For clarity, the Department should replace "entity" with "applicant or EGS."

Additionally, subsections (c)(2) and (c)(3) outline the timeline for actions the Department may take to correct the failure to otherwise comply for an "entity." The Department should insert "applicant or EGS" in these two subsections.

In subsections (c)(1) and (c)(2), the Department uses a 45-day compliance period. How did the Department arrive at this 45-day period? For clarity, the Department should cite where the 45-day period is found or explain why this time period is appropriate.

Subsection (c)(3) states the Department will make a recommendation to the PUC to "deny an application for licensure or institute license revocation proceedings, as applicable." The Department should notify the PUC when an EGS has not paid its taxes. However, what is the purpose of the recommendation, since the PUC makes the final determination? The Department should explain the need for, and usefulness of, its recommendations relating to licensure.

Subsection (d) State tax information.

This subsection states "The Commission may request the State tax information necessary to ascertain compliance. . . ." We have two concerns with this subsection.

First, does the "State tax information" consist of information on all taxes as outlined in the TRC, or just gross receipts taxes? The regulation should clarify this.

Second, the Department should explain why the regulation directs the PUC to ask the Department for State tax information in the instance of a licensure revocation proceeding. Why wouldn't the Department disclose this information in the notice to the PUC as proposed in subsection (c)(3)?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2053. Filed for public inspection December 3, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-194	Insurance Department Consent to Rate Filings	11/23/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2054. Filed for public inspection December 3, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Alliance Health Network; Medical Rate Filing

On November 11, 1999, Alliance Health Network submitted a filing requesting a base rate increase between 10.3% and 12.7%, depending on the selected benefit level, for the Community Rated HMO Medical Program for an effective date of April 1, 2000. This filing will affect approximately 21,836 contracts and 45,000 members. The estimated additional annual revenue generated from this increase is approximately \$7.4 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2055. Filed for public inspection December 3, 1999, 9:00 a.m.]

Alliance Health Network; Pharmacy Rate Filing

On November 11, 1999, Alliance Health Network submitted a filing requesting a base rate increase between 30.5% and 78.4%, depending on the benefit level selected, for the Community Rated HMO Pharmacy Program for an effective date of April 1, 2000. This filing will affect approximately 17,225 contracts and 36,243 members. The estimated additional annual revenue generated from this rate increase is approximately \$5.1 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2056. Filed for public inspection December 3, 1999, 9:00 a.m.]

Appeal of Hrivnak Motor Company under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; Doc. No. UT99-07-006

A hearing shall occur on January 26, 2000 at 9:30 a.m. and, if additional time is required, shall continue on January 27, 2000 at 9:30 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, if any, must be filed on or before January 10, 2000 with the Docket Clerk, Adminis-

trative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Answers to motions, if any, shall be filed on or before January 20, 2000.

On or before January 12, 2000, the parties shall exchange all expert reports and provide a copy of each report to the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North 7th Street, Harrisburg, PA 17102. On or before January 19, 2000 the parties shall file joint stipulations, if any, of facts and documents with the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North 7th Street, Harrisburg, PA 17102. Said stipulation shall be signed by counsel for both parties.

A written request for continuance of the scheduled Prehearing/Settlement Telephone Conference, for good cause will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2057. Filed for public inspection December 3, 1999, 9:00 a.m.]

Application for Approval to Acquire Control of Alliance Health Network

J. P. Holdings, Inc. has filed an application for approval to acquire control of Alliance Health Network, a Pennsylvania domiciled health maintenance organization. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. § 991.1402 et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; E-mail cbybee@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2058. Filed for public inspection December 3, 1999, 9:00 a.m.]

Application for Merger of Livingston Mutual Insurance Company with and into Livingston Mutual Insurance Company of Pennsylvania

An application has been received requesting approval of the merger of Livingston Mutual Insurance Company, an

insurance company organized under the laws of the State of New York, with and into Livingston Mutual Insurance Company of Pennsylvania (Livingston PA), a mutual fire insurance company organized under the laws of the Commonwealth of Pennsylvania. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P.S. § 991.1401 et seq.), section 1957 of the Business Corporation Law (15 Pa. C.S. § 1957) and the GAA Amendments Act of 1990 (15 P.S. § 21101 et seq.). Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; email cbybee@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2059. Filed for public inspection December 3, 1999, 9:00 a.m.]

Application and Request for Plan Approval of a Mutual-to-Stock Conversion of Ever-Greene Mutual Insurance Company

Ever-Greene Mutual Insurance Company, a Pennsylvania domiciled mutual fire insurance company, has submitted a Plan of Conversion which provides for conversion from a mutual fire insurance company to a stock fire insurance company. The filing was made under the Mutual-to-Stock Conversion Act (40 P.S. § 911-A et seq.).

Interested persons wishing to comment on the filing whether on grounds of public or private interest are invited to submit written comments to the Insurance Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the person submitting the comment, identification of the filing to which the comment is addressed, and a concise statement in sufficient detail to inform the Insurance Department of the nature of the comment. Comments received will be shared with the applicant company, which will respond. The Department will review information and comments received and will determine whether the application complies with the pertinent provision of the Mutual-to-Stock Conversion Act.

Written statements should be directed to Cressinda Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybee@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2060. Filed for public inspection December 3, 1999, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield d/b/a Highmark Blue Cross Blue Shield; Vision Care Preferred Provider Program for Experience Rated Groups; Filing No. 99100000

Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, d/b/a Pennsylvania Blue Shield submitted Filing Number 99100000 seeking approval of a new experience-rated group Vision Care Preferred Provider Program, with a proposed effective date of January 1, 2000.

Copies of the filing are available for public inspection, by appointment, during normal working hours at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Bureau of Accident and Health, 1311 Strawberry Square, Harrisburg, PA within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2061. Filed for public inspection December 3, 1999, 9:00 a.m.]

QualMed Plans for Health; Direct Pay Individual Rates; Rate Filing

On November 11, 1999, QualMed Plans for Health (formerly Greater Atlantic Health Services) submitted a filing requesting a base rate increase of 8.3% for the Individual HMO Medical Program for an effective date of January 1, 2000. This filing will affect approximately 1,400 contracts and 1,826 members. The estimated additional annual revenue generated from the 8.3% rate increase is approximately \$300,000.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2062. Filed for public inspection December 3, 1999, 9:00 a.m.]

QualMed Plans for Health; Medical Rate Filing

On November 11, 1999, QualMed Plans for Health (formerly Greater Atlantic Health Services) submitted a filing requesting a base rate increase of 8.5% for the Community Rated HMO Medical Program for an effective date of January 1, 2000. This filing will affect approximately 10,434 contracts and 20,115 members. The estimated additional annual revenue generated from the 8.5% rate increase is approximately \$3 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones,

Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2063. Filed for public inspection December 3, 1999, 9:00 a.m.]

QualMed Plans for Health; Pharmacy Rate Filing

On November 11, 1999, QualMed Plans for Health (formerly Greater Atlantic Health Services) submitted a filing requesting a base rate increase of 21.3% for the Community Rated Pharmacy HMO Program for an effective date of January 1, 2000. This filing will affect approximately 10,200 contracts and 19,700 members. The estimated additional annual revenue generated from the 21.3% rate increase is approximately \$1.1 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2064. Filed for public inspection December 3, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Anne R. Congilio; file no. 99-494-90701; Travelers Property and Casualty; doc. no. E99-11-009; December 28, 1999 at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of

replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2065. Filed for public inspection December 3, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's residential or personal property policy. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Aegis Security Insurance Company; file no. 99-121-06167; Kelly Broschart; doc. no. P99-11-005; December 21, 1999, at 9 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedure). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if

any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2066. Filed for public inspection December 3, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application for Approvals and Waivers Without Hearing

A-210013F0014 and A-230077F0003. Lyonnaise American Holding, Inc. Application of United Water Pennsylvania Inc. for all approvals and waivers (if any) which may be required under the Public Utility Code for Lyonnaise American Holding, Inc., an existing controlling interest to acquire the remaining shares to become sole shareholder of United Water Resources Inc., the corporate grandparent of United Water Pennsylvania Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 20, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: United Water Pennsylvania Inc.

Through and By Counsel: Michael D. Klein, Esquire, John J. Gallagher, Esquire, LeBoeuf, Lamb, Greene & MacRae L.L.P., 200 North Third Street, Suite 300, P. O. Box 12105, Harrisburg, PA 17108-2105.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2067. Filed for public inspection December 3, 1999, 9:00 a.m.]

Approval of Corporate Restructuring and Merger Without Hearing

A-110550F0147. PECO Company. Application of PECO Company, under Chapters 11, 19, 21, 22 and 28 of the Public Utility Code, for approval of (1) a plan of corporate restructuring, including the creation of a holding company and (2) the merger of the newly formed holding company and Unicom Corporation.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 20, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Peco Energy Company, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101-8699.

Through and By Counsel: Paul R. Bonney, Esquire, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101-8699.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2068. Filed for public inspection December 3, 1999, 9:00 a.m.]

Gas Service Without Hearing

A-123100F0027. UGI Utilities, Inc. Application of UGI Utilities, Inc. for approval to begin to offer, render, furnish or supply gas utility service to the public in additional territory of East Earl Township, Lancaster County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 20, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: UGI Utilities, Inc.

Through and By Counsel: Thomas M. Jackal, Esquire, UGI Utilities, Inc., P. O. Box 858, Valley Forge, PA 19482.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2069. Filed for public inspection December 3, 1999, 9:00 a.m.]

Railroad With Hearing

Doc. No. I-00990084. CSX Transportation, Inc. Investigation Upon the Commission's Own Motion into matters pertaining to the proper service, accommodation, convenience and safety of the traveling public using the bridge that carries Township Road 378 (AAR 145 117 K, Formerly T-381) over and above the tracks of CSX Transportation, Inc., in Summit Township, Somerset County.

An Initial Hearing on this matter will be held Thursday, January 6, 2000 at 10 a.m. in an available hearing room, 11th floor hearing room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2070. Filed for public inspection December 3, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application.

Protests to the applications published herein are due on or before December 27, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00112157, Folder 2. Mountain Line, Inc. (R. D. 1, Box 338, Pine Grove, Schuylkill County, PA 17963), a corporation of the Commonwealth of Pennsylvania—persons in scheduled route service from Williamstown, Dauphin County, to Lickdale, Lebanon County, via Route 209 to Exit 33, thence south on Interstate Route 81 to Exit 30. *Attorney:* Joseph D. Kerwin, 4245 Route 209, Elizabethtown, PA 17023.

A-00116363. Kevin R. Bippus and Sheri D. Bippus, Copartners, t/d/b/a Lifestyle Limousine of Lancaster (107 Buchland Road, Ephrata, Lancaster County, PA 17522)—persons in limousine service, between points in the counties of Lancaster, Berks, Lebanon, York and Chester, and from points in the said counties, to points in Pennsylvania, and return.

A-00116363, F. 2. Kevin R. Bippus and Sheri D. Bippus, Copartners, t/d/b/a Lifestyle Limousine of Lancaster (107 Buchland Road, Ephrata, Lancaster County, PA 17522)—persons in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the counties of Lancaster, Berks, Lebanon, York and Chester, and from points in the said counties, to points in Pennsylvania, and return.

A-00116365. Lawrence Allen, t/d/b/a L. Allen Express (719 High Street, Williamsport, Lycoming County, PA 17701)—persons, in paratransit service: (1) From points in the county of Lycoming, to all State and Federal correctional institutions located in Pennsylvania, and return; and (2) From the county of Lycoming, to points in the city and county of Philadelphia, and vice versa.

A-00116366. Patrick M. Kelsey (P. O. Box 1512, Norristown, Montgomery County, PA 19404)—persons in paratransit service, between points in the city and county of Philadelphia, and the county of Montgomery, and from points in said counties, to points in Pennsylvania, and vice versa.

A-00116383. Dennis L. Miller (230 Brewer Road, Freedom, Beaver County, PA 15142)—persons in paratransit service, between points in the borough of Freedom, Beaver County and within an airline distance of 10 statute miles of the limits of said borough, and from points in said territory, to points in Pennsylvania, and vice versa.

A-00116384. Richard Wayne Stancombe, Jr., t/d/b/a Rix Limousine Service (1649 Getty Avenue, Indiana, Indiana County, PA 15701)—persons in limousine service, between points in the county of Indiana, and from points in said county, to points in Pennsylvania, and vice versa.

A-00116387. Crystal Limousine, Inc. (1107 Burmont Road, Drexel Hill, Delaware County, PA 19026), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the city and county of Philadelphia, and the township of Tinicum, Delaware County, and from points in said territory, to points in

Pennsylvania, and vice versa. *Attorney:* Albert Ominsky, 1760 Market Street, 10th Floor, Philadelphia, PA 19103.

A-00116389. William R. Smoley (26 Salem Manor, Selinsgrove, Snyder County, PA 17870)—persons in paratransit service, between points in the counties of Snyder, Union, Northumberland, Montour, Columbia and Luzerne, and from points in said counties, to points in Pennsylvania, and return.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00116364. Pegasus Transportation Holdings, Inc. (6030 Bunker Hill, Pittsburgh, Allegheny County, PA 15206-1156), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in those portions of the counties of Beaver, Butler, Washington and Westmoreland which are located within an airline distance of 18 statute miles of the city of Pittsburgh, Allegheny County, and from said area, to points in Allegheny County, and vice versa; subject to the following condition: That no right, power or privilege is granted to provide transportation from points in Westmoreland County, to the Greater Pittsburgh International Airport in the township of Moon, Allegheny County and from points in Westmoreland County to the restaurant facilities of J. Paul Sghetti's, Inc., in the township of Huntingdon, Westmoreland County, and vice versa; which is to be a transfer of the limousine right authorized Landmark Transportation Services, Inc., under the certificate issued at A-00111633, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-00116388. Giant Moving & Delivery Service, Inc. (129 Green Street, Hulmeville, Bucks County, PA 19047), a corporation of the Commonwealth of Pennsylvania—household goods in use, between points in the county of Bucks, and from points in said county, to points in Pennsylvania, and vice versa.

Applications of the following for amendment to the certificate of public convenience approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use as described under each application.

A-00096429, F. 1, Am-J. William J. Brown Trucking, Inc. (390 Iade Mill Road, Valencia, Butler County, PA 16059), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to Permit* the discontinuance of household goods in use authority which reads as follows: (1) To transport, as a Class B carrier, household goods in use between points in the township of Middlesex, Butler County; (2) To transport, as a Class D carrier, household goods in use from points in the township of Middlesex, Butler County, to points within 40 miles by the usually traveled highways of the limits of the said township, and vice versa; which is to be a cancellation of the 5th and 6th rights contained in the order at A-00096429, entered March 29, 1971.

A-00107901, F. 1, Am-A. R & R Truck Sales & Service, Inc. (115 Kutz Road, Temple, Berks County, PA 19560), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of household goods in use authority which reads as follows: (1) To transport, as a Class D carrier, household goods in use from points in the townships of Upper Milford and Lower Milford, Lehigh County, to points within 40 miles by the usually traveled highways of the limits of the said townships, and vice versa; and (2) To transport, as a Class B carrier, household goods in use between points in the townships of Upper Milford and Lower Milford, Lehigh County; which is to be a cancellation of the 1st and 3rd rights contained in the order at A-00107901, adopted May 13, 1988, entered May 19, 1988.

A-00100095, Folder 1, Am-C. North and South Lines, Inc. (2710 South Main Street, Harrisonburg, Rockingham County, VA 22801), a corporation of the Commonwealth of Virginia—partial discontinuance of service—all household goods in use authority at A-00100095, Folder 1 and Folder 1, Am-A as follows: (1) To transport, as a Class D carrier, property (household goods in use) between points in the borough of Chambersburg, Franklin County, and within 8 miles by the usually traveled highways of the limits of the said borough, provided no right, power or privilege is granted to transport any property, from Chambersburg to Shippensburg, Chambersburg to Greencastle and intermediate points between Chambersburg and Shippensburg and Chambersburg and Greencastle located on the route of Horn's Motor Express, Inc., as certificated to Horn's Motor Express, Inc., on or before January 23, 1934; and (2) To transport, as a Class C carrier, shipments of property from points in the borough of Chambersburg, Franklin County, and within 8 miles by the usually traveled highways of the limits of said borough to other points in Pennsylvania and vice versa, provided that no right, power or privilege is granted to transport such shipments between points on the route of Horn's Motor Express, Inc., (Horn's) as certificated to Horn's on or before January 23, 1934; or on the route of Motor Freight Express under rights acquired from Alko Express Lines as certificated to Alko on or before January 23, 1934; with right No. 2 subject to the following conditions: *First*: That no right, power or privilege is granted to transport property, in bulk in dump vehicles to or from points in the city of Pittsburgh, Allegheny County and within 50 miles of the limits of said city and to or from the city of Erie, Erie County; *Second*: That no right, power or privilege is granted to transport property which, because of its size or weight, required special handling and the use of special equipment such as trucks having winches or special equipment attached or trucks of special body construction, or pole trailers, or drop-frame trailers, to or from points in the city of Pittsburgh, Allegheny County, and within 50 miles of the limits of said city; and *Third*: That no right, power or privilege is granted to transport property to or from steel mills and steel warehouses located in the counties of Allegheny, Beaver, Butler and Washington. Applicant will continue to hold the right to transport property, between points in Pennsylvania (excluding household goods in use).

Applications of the following for approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle for the transportation of persons as described under each application.

A-00104201, F. 1, Am-A. Irene M. Mariscotti, t/d/b/a Your Door to the Airport (324 Third Street, California, Washington County, PA 15419) for amendment to her common carrier certificate: *So as to Permit* the discontinuance of service and cancellation of the certificate at A-00104201 which authorizes the following service: To transport, as a common carrier, persons in airport transfer service, between points within the borough of California, Washington County, and points in Washington County within a radius of 15 miles of said borough, to the Greater Pittsburgh Airport in the township of Moon, Allegheny County; subject to the following condition: That no right, power or privilege is granted to provide airport transfer service on a scheduled route basis; all transportation herein being specifically limited to movement on prior requests for service from the point of said request in the authorized service area to the Greater Pittsburgh Airport, and vice versa.

Applications of the following for approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use as described under each application.

A-00107012, Folder 1, Am-A. Green Transfer & Storage, Inc. (801 23rd Street, Ambridge, Beaver County, PA 15003), a corporation of the Commonwealth of Pennsylvania—*discontinuance of service*—household goods in use, between points in the borough of Ambridge, Beaver County, and within an airline distance of 10 miles thereof, including the townships of Harmony and Economy, Beaver County, and from points in said area, to points in Pennsylvania, and vice versa; and property, excluding household goods in use, between points in Pennsylvania.

Applications of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under each application.

A-00106305, Folder 4. Star Limousine Service, Inc. (910 Sheraton Drive, Sheraton Hotel/Northwest, Mars, Butler County, PA 16046), a corporation of the Commonwealth of Pennsylvania—additional right—to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney*: William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

Application of the following for the approval of the transfer of stock as described under each application.

A-00108330, F. 5001. J. C. Stilwell's Son, Inc., (1408 Calcon Hook Road, Sharon Hill, Delaware County, PA 19079), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from Stephen Eder (50 shares) to J. C. Stilwell's Son, Inc. *Attorney*: Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

A-00111774, F. 5001. Economy Moving & Storage, Inc. (1408 Calcon Hook Road, Sharon Hill, Delaware County, PA 19079), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from Stephen Eder (5 shares) to Economy Moving & Storage, Inc. *Attorney*: Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

Service of Notice of Formal Complaints Against Philadelphia Taxi Cab Drivers

The following formal complaints have been filed against Philadelphia taxi cab drivers by the Pennsylvania Public Utility Commission:

<i>Name of Driver</i>	<i>Taxi Driver Certification Complaint #</i>	<i>Cab #</i>	<i>Violation of 52 Pa. Code</i>	<i>Date of Violation</i>	<i>Penalty</i>
Clarence R. McPherson	H-00001105M9701	P-607	30.71(f) Expired TDC. 30.76(d)(7) Driving while operator's license suspended.	7/26/97	\$100.00 fine & cancellation of TDC.
Donald Burton	H-00001240M9601	P-272	30.71(f) Expired TDC. 30.76(d)(8) Driving while operator's license suspended.	1/04/96	Revocation of TDC.
Mario Bonelli	H-00003499M9501	P-287	30.71(f) Expired TDC.	2/09/95	Suspension of TDC.

PLEASE BE ADVISED THAT THE COMPLAINT WILL BE PROCESSED AS FOLLOWS:

A. Under 52 Pa. Code § 30.53, you must file an answer within 15 days of the receipt of this complaint. The answer shall raise all factual and legal arguments that you wish to claim in your defense. The answer shall be notarized and the original and two (2) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

All answers must include the reference number of this complaint and the applicable P-number(s).

B. Under 52 Pa. Code § 30.55, if an answer is not filed within 15 days of the receipt of this complaint, a fine of \$1,000 will be assessed for each violation cited in the complaint. Additionally, if you are not authorized by the Commission to perform the service, your vehicle registration may be suspended.

C. You may elect not to contest this complaint by paying the proposed fine in Item 16 by certified check or money order. Payment must be made to:

Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

All payments must include the reference number of this complaint and the applicable P-number(s) on the check or money order.

(Note: Personal Checks Are Unacceptable.)

D. If a timely answer is filed which contests the complaint, it will be assigned to a Special Agent or an Administrative Law Judge who will serve as the presiding officer in the case. The Agent or the Judge is not bound by the action in Item 16. A penalty imposed by them may be greater or less than the penalty in Item 16.

E. If you file an answer which admits or does not deny the violations in this complaint, an order will be issued, without benefit of the case being heard in front of a Special Agent or an Administrative Law Judge, imposing the action sought in Item 16.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2071. Filed for public inspection December 3, 1999, 9:00 a.m.]

Telecommunications Interconnection Agreement

A-330033. Bell Atlantic-Pennsylvania, Inc. and Smart Beep, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Smart Beep, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Smart Beep, Inc., by its counsel, filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and Smart Beep, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2072. Filed for public inspection December 3, 1999, 9:00 a.m.]

Telecommunications

A. 310863. GTE North Incorporated and Comm South Companies, Inc. Joint Petition of GTE North Incorporated and Comm South Companies, Inc. for approval of a Resale Agreement.

GTE North Incorporated and Comm South Companies, Inc., by its counsel, filed on November 18, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Comm South Companies, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2073. Filed for public inspection December 3, 1999, 9:00 a.m.]

Transfer of Control Without Hearing

A-230051F0002; A-230050F0002; and A-210068F0002. Consolidated Pocono Utilities, Inc., Delaware Sewer Company, Clean Treatment Sewage Company and Maple Crest Water Company. Joint Application of Consolidated Pocono Utilities, Inc., Delaware Sewer Company (Delaware), Clean Treatment Sewage Company (Clean) and Maple Crest Water Company (Maple), for approval of the transfer of control of Delaware, Clean and Maple.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 20, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Consolidated Pocono Utilities, Inc.

Through and By Counsel: W. Boyd Hughes, Esquire, Hughes, Nicholls and O'Hara, 1421 East Drinker Street, Dunmore, PA 18512.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2074. Filed for public inspection December 3, 1999, 9:00 a.m.]

2000 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Regulations promulgated by the Pennsylvania Public Utility Commission (Commission) at 52 Pa. Code § 53.64(a) direct the Commission to annually publish a schedule of filing dates for jurisdictional gas utilities

subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2000 schedule of filing dates is as follows:

February 1, 2000: National Fuel Gas Distribution Corporation—Pennsylvania Division; T. W. Phillips Gas and Oil Company.

April 1, 2000: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company.

June 1, 2000: P. G. Energy, Inc.; PECO-Gas Division; UGI Corporation; PFG Gas, Inc.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2075. Filed for public inspection December 3, 1999, 9:00 a.m.]

PORT OF PITTSBURGH COMMISSION

Independent Auditors' Report

Board of Directors
Port of Pittsburgh Commission
Pittsburgh, Pennsylvania

We have audited, in accordance with generally accepted auditing standards, the balance sheet of Port of Pittsburgh Commission Special Revenue Fund (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 1999, and the related statement of revenues, expenditures and changes in fund balance for the year ended (not presented herein); and, in our report dated September 8, 1999, we express an unqualified opinion on those financial statements.

As described in the following summary financial information of the Commission as of and for the year June 30, 1999 is not a presentation in conformity with generally accepted accounting principles. In our opinion, however, the accompanying summary financial information is fairly stated, in all material respects, in relation to the financial statements from which it has been derived.

Terry & Stephenson, P.C.
429 Forbes Avenue, Suite 1600
Pittsburgh, PA 15219

September 8, 1999
Pittsburgh, Pennsylvania

Port of Pittsburgh Commission Special Revenue Fund (A Component Unit of the Commonwealth of Pennsylvania) BALANCE SHEET June 30, 1999

Assets:	
Cash and investments	\$1,082,174
Other assets	73,969
Total Assets	<u>\$1,156,143</u>
Liabilities and Fund Balance:	
Liabilities	\$2,060,759

Fund balance (accumulated deficit)—reserved for economic development	(904,616)
Total Liabilities and Fund Balance	<u>\$1,156,143</u>

**Statement of Revenues, Expenditures, and
Changes in Fund Balance for the
Year Ended June 30, 1999**

Revenues and Other Financing Sources:	
Interest, rental, and other income	\$82,326
Intergovernmental transfers	<u>913,500</u>
	<u>995,826</u>
Expenditures:	
Operating	560,570
Capital	1,970,646
Other	<u>11,517</u>
	<u>2,542,733</u>
Excess of expenditures over revenues and other financing sources	(1,546,907)
Fund balance, beginning of year	<u>642,291</u>
Fund balance, end of year	<u><u>(\$904,616)</u></u>

Submitted by:

JAMES R. MCCARVILLE,
Executive Director

[Pa.B. Doc. No. 99-2076. Filed for public inspection December 3, 1999, 9:00 a.m.]

STATE BOARD OF VOCATIONAL REHABILITATION

Public Meeting

The State Board of Vocational Rehabilitation will hold its next public meeting in Harrisburg, PA.

Location: Hilton Harrisburg & Towers, 1 North Second Street, Harrisburg, PA 17101.

Date: December 14, 1999.

Time: 10:30 a.m.—12 noon (Executive Session)—closed to the public; 1 p.m.—3 p.m. (Public Session).

Persons who require special arrangements (including a sign language interpreter or alternate format), should call Nancy Dutchko at (717) 787-1112 or (800) 442-6351.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 99-2077. Filed for public inspection December 3, 1999, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development

374 Forum Building

Harrisburg, PA 17120

800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code
Identification Number

② Commodity/Supply or
Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
787-0000

③ Contract
Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
Vendor Services Section
717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, *"Frequently Asked Questions About State Contracts,"* explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**

Pennsylvania State Treasury
Room G13 Finance Building
Harrisburg, PA 17120
717-787-2990
1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities

1256119 Twill. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Huntingdon, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

8505080 Long handle shovel, square point, 48" fiberglass. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

1270359 Furnish and install biological oxygen demand auto EZ analyzer system consisting of various components. For a copy of the bid package fax request to (717) 787-0725.

Department: Environmental Protection
Location: Harrisburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

1260119 Broadcloth. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Huntingdon, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

8055470 High speed laser printer subsystems, roll free, with highlight color printing as per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Mechanicsburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

1266119 Hot rolled steel sheets, low carbon, commercial quality meeting ASTM A 569 standard specification in various sizes and pieces. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Dallas, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

1245119 Denim, navy blue. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Waynesburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

8177280 Furnish and set-up 6000 gallon vertical storage tank as per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Lancaster, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

ADV No. 59 Indiana University of Pennsylvania (IUP), Indiana, PA 15705 is seeking bids for 200 new residence hall refrigerators. Acceptable Manufacturer/Model—Whirlpool Model Number SR172W, or approved equal. Requests for a bid package should be made in writing, referencing Advertisement Number ADV 59 and directed to Patty Bash, Purchasing Agent, IUP, 650 S. 13th Street, Indiana, PA 15705; Fax (724) 357-2670; Phone (724) 357-3077; or e-mail: PABash@grove.iup.edu. Requests for a bid package will be accepted until December 17, 1999. The University encourages responses from small and disadvantaged, minority and women-owned firms.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705
Duration: Indeterminate 1999-2000
Contact: Patty Bash, Purchasing Agent, (724) 357-3077

1262199 Professional License and I.D. cards. For a copy of the bid package fax request to (717) 787-0725.

Department: State
Location: Harrisburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

8176390 Decals, truck weight class identification devices. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 99—00
Contact: Vendor Services, (717) 787-2199

100-Heat Various heating supplies.

Department: Military Affairs
Location: Department of Military and Veterans Affairs, Ft. Indiantown Gap, Annville, PA 17003
Duration: FY 99—00
Contact: Eugene Ollar, (717) 861-2921

SERVICES

Audio/Video—4

SP#00670005 The contractor shall provide all labor, equipment and parts required to inspect, test and repair communications equipment at the Embreeville Complex, Coatesville, PA. To receive specifications, submit Fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025.

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated dates: September 1, 2000—August 31, 2003
Contact: Beverly O. Epting, (610) 562-6031

Computer Related Services—8

FLORY-001 Supply 14 CISCO #2501 AC Routers—8 Mb Flash, 16 Mb DRAM, Console Cables and RJ45 to DB9 console adapters, power cords, mounting brackets, IOS 11.2 (13) with Desktop features to allow support of IP, IPX, AppleTalk, Bridging and DECnet. 90 day warranty. Supply 15 CISCO V.35MT/V.35FC-6 Serial Crossover Cable. Cable must be capable of allowing router to router connection and operation via the serial interfaces of the routers. Supply 1 CISCO 2514 Router—identically outfitted as the routers above.

Department: Education
Location: Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602
Duration: December 1, 1999 to June 30, 2000
Contact: Betty Tompos or Kevin Flory, (717) 299-7749

Construction & Construction Maintenance—9

015DGS251-435 Project Title: Replace Existing Heating System. Brief Description: Remove existing hydronic heating system from entire building and replace with new gas-fired radiant heating system, rooftop A/C unit and ductwork system and VAV damper units and controls for the existing front office rooftop A/C system including all required electrical circuits. Remove all asbestos containing materials. Estimated Range: \$100,000 to \$500,000. Mechanical, Electrical, and Asbestos Abatement Construction. Plans Deposit: \$25 per set. Checks must be made payable to the Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Mail a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, January 5, 2000 at 11 a.m.

Department: General Services
Location: Department of Transportation Maintenance Facility, Meadville, Crawford County, PA
Duration: 160 Calendar Days from Date of Initial Job Conference
Contact: Contract and Bidding Unit, (717) 787-6556

401-BL-554 Student Services Center Renovation—Provide all labor, material and equipment necessary to renovate the old Andruss library into a new centralized Student services center. The building will be converted from library use, to office and administration functions. The facility will house admissions, registrar, financial aid as well as other student departments. The renovation will also include a small cafe, a new exterior entry, university duplicating services, and various classroom and teaching labs. There will be a general, HVAC, Plumbing and Electrical contract awarded. To obtain a copy of the bid documents submit a non-refundable \$175 deposit to Murphy & Dittenhafer, P. O. Box 2944, 308 E. Market St., York, PA 17403. Information on the prebid and bid dates will be included in the bid package.

Department: State System of Higher Education
Location: Bloomsburg University
Duration: 240 days
Contact: Joseph C. Quinn, (570) 389-4311

IN-793.1 Windows Replacement University Towers—Removing existing curtain rods, blinds, screens, windows, air conditioning units, etc., to furnish and install new windows, insulated aluminum panels, joint sealants, insect screens, etc. Notice to Contractors may be requested from IUP. Phone: (724) 357-2289 Fax: (724) 357-6480 Internet: <http://www.iup.edu/engcons>.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705-1087
Duration: Six months
Contact: Ronald E. Wolf, (724) 357-4851

99-806 The contractor shall remove and replace approx. 634 lin. ft. of insulation on the boiler steam piping with Paroc (MW) pipe insulation covered w/.016 SM. alum. and s.s. strapping. 2"x2 1/2" pipe, 2" TH Paroc, 3" and up pipe, 3" and up pipe, 3" TH Paroc

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: January 4, 2000 to June 30, 2000
Contact: Delores Stephens, (717) 975-5200

015DGS251-566 Revised Rebid Project Title: New 4-Bay Salt Storage Building. BRIEF DESCRIPTION: Provide and install all materials to erect a 44'x77' salt storage building, including concrete flooring and walls, wood structure, asphalt shingles, wood siding and wood trim. Estimated Range: \$75,000 to \$150,000. General Construction. Plans Deposit: \$25 per set Payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: Wednesday, December 15, 1999 at 11 a.m.

Department: General Services
Location: PennDOT Maintenance District 10-3
Duration: 120 Calendar Days from Date of Initial Job Conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS251-504 Revised Rebid Project Title: Window Replacement. BRIEF DESCRIPTION: Replace windows at the garage, garage offices and restrooms with insulated windows. There is lead paint on existing window frames and asbestos in the caulking and glazing putty. Estimated Range: Under \$100,000. General Construction. Plans Deposit: \$25 per set Payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, December 15, 1999 at 1 p.m.

Department: General Services
Location: PennDOT Maintenance Building, West Chester, Chester County, PA
Duration: 90 Calendar Days from Date of Initial Job Conference
Contact: Contract and Bidding Unit, (717) 787-6556

SP 90781020 Asphalt paving of parking lot and access roads. For detailed information, contact the Purchasing Office at Wernersville State Hospital.

Department: Public Welfare
Location: Wernersville State Hospital, Route 422, Berks County, Wernersville, PA 19565-0300
Duration: Anticipated Duration: April 1, 2000 through June 30, 2000
Contact: Nancy Deininger, Purchasing Agent, (610) 670-4129

SU-722 Memorial Auditorium Re-Roof—EPDM Shippensburg University of the State System of Higher Education invites General Contractors to request bid documents for this project. Work includes all associated work for removal of existing roof and reinstallation of new roof. Prebid Meeting with Site Visit immediately to follow will be held on Wednesday, December 8, 1999 at 10 a.m. in the Reed Operations Center. Bids Due: January 5, 2000 at 4 p.m. Old Main Room 300. Bids open: January 6, 2000 at 2 p.m. Old Main Room 203A. Prospective Bidders may obtain project plans by faxing a request to Deborah K. Martin, Contract Administrator, Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257, (717) 477-1121 or Fax: (717) 477-4004. Contracts, MBE/WBE and Prevailing Wages apply. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, PA
Duration: 45 Days After Notice To Proceed
Contact: Deborah K. Martin, Contract Administrator, (717) 477-1121

Elevator Maintenance—13

99-804 The contractor shall provide material, labor and equipment to maintain the elevators in proper working condition at the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Environmental Maintenance—15

99-805 The contractor shall provide service to remove backwash sediment from two lagoons at the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Engineering Services—14

08430AG2459 To provide construction inspection and documentation services on S. R. 6220, Section A11, Route 220 relocation—Laurel Run to north of Port Matilda, in Centre County.

Department: Transportation
Location: Engineering District 2-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2458 To provide construction inspection and documentation services on S. R. 6220, Section C11, Route 220 relocation, south of Port Matilda to Laurel Run in Centre County.

Department: Transportation
Location: Engineering District 2-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2457 To perform environmental services, preliminary engineering, final design and provide services during construction for S. R. 0202, Section 610 in Montgomery County.

Department: Transportation
Location: Engineering District 6-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

C42-110030 The contractor will provide labor, equipment and materials necessary to conduct proctor tests, compaction tests (either sand cone, or nuclear gage methods) gradation analysis and waste tests. The contractor must be able to respond to a test within 24 hours of notification. All tests are to be in accordance with Pub. 19 Field Test Manual. Service is needed to comply with the minimum soils testing requirements delineated in Form 408. All tests will be done in Beaver and Lawrence Counties.

Department: Transportation
Location: PA Department of Transportation, Engineering District 11, 45 Thoms Run Rd., Bridgeville, PA 15017
Duration: The contract will be for a period of one year. By mutual consent of both parties, renewable for four additional periods of one year, at the quoted price.
Contact: Bill Arnold, (412) 429-5061

RFP 99-04 "Traffic Safety Related Research Projects." The purpose of this RFP is to satisfy a need for information, to define or implement policy, direction or strategy on a quick-turn-around basis in support of PennDOT's safety, traffic engineering, ITS and congestion mitigation efforts. Detailed requirements and an RFP are available upon a fax request. Fax requests including: Name, Company Name, Address, Phone Number, Fax Number, and the RFP Number to Roberta Cooper at (717) 783-7971.

Department: Transportation
Location: Statewide
Duration: 60 months (with possible 3 month extension)
Contact: Roberta Cooper, (717) 787-4006

08430AG2460 To perform environmental services, preliminary engineering, final design and provide services during construction for S. R. 0095, Section BRI, in Philadelphia County.

Department: Transportation
Location: Engineering District 6-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

Extermination Services—16

SP#00670010 The contractor shall conduct a comprehensive and effective pest control program at the Embreeville Complex in the areas identified in this specification. The program shall include the extermination or control of all pests, insects (including termites) and rodents, located within or infesting buildings or other structures located in the identified areas. To receive specifications, submit Fax to Beverly O. Epting, Hamburg Center, Harrisburg, PA 19526 Fax (610) 562-6025.

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated dates: July 1, 2000—June 30, 2003
Contact: Beverly O. Epting, PA (610) 562-6031

99-800 The contractor shall provide exterminating services to the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Firefighting Services—18

SP#00670006 The contractor shall provide all labor, equipment and parts required to inspect, test, recharge and repair fire extinguishers and fire suppression systems at the Embreeville Complex, Coatesville, PA 19320. To receive specifications, submit Fax to Beverly O. Epting, PA, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025.

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated Dates: September 1, 2000—August 31, 2003
Contact: Beverly O. Epting, PA (610) 562-6031

Food—19

Inquiry #201 Miscellaneous Meats—For a 3 month period beginning January through March, 2000. Delivery schedule, dates, quantities and complete specifications can be obtained from the Hospital.

Department: Public Welfare
Location: Wernersville State Hospital, Route 422 West, P. O. Box 300, Wernersville, PA 19565-0300
Duration: January—March 2000
Contact: Purchasing Office, (610) 670-4128

HVAC—22

SP#00670009 The contractor shall provide all labor, equipment, tools and parts required to maintain the Powers Automatic Temperature Control Systems in use at the Embreeville Complex, Coatesville, PA 19320. To receive specifications, Fax request to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025.

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated dates: July 1, 2000—June 30, 2003
Contact: Beverly O. Epting, (610) 562-6031

SP#00670007 The contractor shall provide all labor, equipment, tools and parts required to inspect, test, repair and rebuild all types of valves at the Embreeville Complex, Coatesville, PA 19320.

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated Dates: July 1, 2000—June 30, 2003
Contact: Beverly O. Epting, PA (610) 562-6031

SP#00670008 The contractor shall provide all labor, equipment, tools and parts required to maintain the Cleveland Combustion Controls used in the Power Plant at the Embreeville Complex, Coatesville, PA 19320. To receive specifications, submit Fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025

Department: Public Welfare
Location: Embreeville Complex, 1822 W. Strasburg Rd., Coatesville, PA 19320
Duration: Anticipated Dates: July 1, 2000—June 30, 2003
Contact: Beverly O. Epting, PA (610) 562-6031

Janitorial Services—23

Bid #8009 Furnish all materials, equipment and labor to perform janitorial services three visits per week at the PA State Police, Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853. Detailed Work Schedule and Bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853
Duration: 4/1/00 to 6/30/02
Contact: Donna Enders, (717) 783-5484

Bid #8012 Furnish all equipment, materials and labor to perform janitorial services two visits per week at the PA State Police, Reading Aviation Patrol Unit, Bldg. 406, Reading Regional Airport, Reading, PA 19605. Detailed Work Schedule and Bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Reading Aviation Patrol Unit Bldg. 406, Reading Regional Airport, Reading, PA 19605
Duration: 3/1/00 to 6/30/02
Contact: Donna Enders, (717) 783-5484

Bid #8011 Furnish materials, equipment and labor to perform janitorial services three visits per week at the PA State Police, Somerset Station, 142 Sagamore Street, Somerset, PA 15501-8356. Detailed Work Schedule and Bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Somerset Station, 142 Sagamore Street, Somerset, PA 15501-8356
Duration: 12/1/99 to 6/30/02
Contact: Donna Enders, (717) 783-5484

Laboratory Services—24

Inq. #00671015 Provide medical laboratory test service to N.S.H. as requested and required. Will include phlebotomy service. Reimbursement will be on "fee for service" basis for each category of tests. Laboratory must be certified by American College of Pathology (ACP) or meet equivalent standards of consistency, accuracy and reliability of analytical procedures. Full range of test capability required. Pick-up service or suitable mailing containers with pre-printed address labels with postage required.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2002
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Medical Services—29

Inq. #00671011 Provide medical services in the field of Otolaryngotology and Bronchoesophagology for patients of Norristown State Hospital, on a "fee for service" basis. Services to be rendered on the hospital grounds in a clinic setting. Must be Board Certified and licensed to practice Medicine or Osteopathy in PA. Work also includes audiometric testing of some employees.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2003
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Inq. #00671016 Provide maintenance and repair service to N.S.H. X-ray equipment in the Radiology Department, Bldg. 52. Equipment includes: Monitrol/90 model #46-140800G3 and Monitrol/15, model #46-140000G7.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2002
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Inq. #00671020 Pulmonary tests conducted by a certified Pulmonary Function Technologist or a person trained in spirometry. Tests: FVC, FEV 1.0, FEV1/FVC, X-Ray Approximately 30—35 exams per year.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2002
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Inq. #00671007 Provide service as a medical specialist in the field of Urology to patients of Norristown State Hospital on a "fee for services" basis. Cystoscopies, new patient consultations and follow-up visits. Provider must be PA Board Certified and be licensed in PA.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2003
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Inq. #00671008 Provide services in the medical specialty of Pulmonary Disease to patients of the Norristown State Hospital on a "fee for service" basis. Services to be rendered on grounds. Board Certification is required. Must be licensed to practice Medicine or Osteopathy in PA.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2003
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Inq. #00671009 Provide service of a medical specialist in the field of General Surgery for patients of Norristown State Hospital. Payment will be on a "fee for service" basis for one hour clinical sessions on grounds. Must be Board Certified and licensed to practice Medicine or Osteopathy in PA.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2003
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

99-802 The contractor shall provide nursing services to the inmate population at the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

99-803 The contractor shall provide services to make and repair dentures for inmates at the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Inq. #00671010 Certified registered nurse practitioner in Gynecology to provide services at Norristown State Hospital for patients. Sessions to be held in clinic setting on the grounds of the hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2003
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

Personnel, Temporary—31

99-801 The contractor shall provide clerical positions for the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Property Maintenance—33

00722-000-99-AS-4 Removal of existing bituminous paving (approximately 550 sq. yds.), repair of existing sub-base and installation of new bituminous paving. Also included are minor landscape repairs and traffic markings. Work to be done in the Spring of 2000. All interested bidders should submit a request to PHMC for a bid package to: PA Historical & Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401 or Fax (717) 783-1073. Bids will be due on Monday, December 20, 1999 at 12 noon. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Sts., Harrisburg, PA.

Department: Historical and Museum Commission
Location: David Bradford House, 175 South Main St., Washington, PA 15301, Washington County
Duration: March 1, 2000 to October 31, 2000
Contact: Judi Yingling, (717) 772-2401

Bid #8010 Snow removal, salting and cindering from parking areas and driveway, and snow removal from sidewalks, as required at the Jonestown Station. Services to be rendered November 1, 1999 to June 30, 2001. Estimated snow removal hours and tonnage of salting/cindering needed. On as needed basis only.

Department: State Police
Location: Jonestown Station, R. D. 2, Box 4070, Jonestown, PA 17038-9574
Duration: 11/1/99 to 6/30/01
Contact: Donna Enders, (717) 783-5484

00677-002-97-AS-2 (Rebid2) Provide services for carpentry repairs and window glass replacement at the Manor House at Pennsbury Manor, Morrisville, PA in Bucks County. A site visit is highly suggested. Please contact the site to arrange a site visit. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical & Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401 or Fax (717) 783-1073. All bids are due December 28, 1999 at 12 noon. Bids should be submitted to the PA Historical & Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120—Attention: Judi Yingling.

Department: Historical and Museum Commission
Location: Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: March 1, 2000 to October 31, 2000
Contact: Judi Yingling, (717) 772-2401

0317 Cabinets to build entertainment centers. Reference: Merrilat Spring Valley Oak. Send a fax to (570) 587-7108 to request a bid package. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: December 15, 1999—February 15, 2000
Contact: Stanley Rygelski, PA, (570) 587-7291

00677-003-98-AS-3 (Rebid2) Provide services for the replacement of jams and thresholds at the Bake & Brew House at the Manor House at Pennsbury Manor, Morrisville, PA in Bucks County. A site visit is highly suggested. Please contact the site to arrange a site visit. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401 or Fax (717) 783-1073. All bids are due December 28, 1999 at 12 noon. Bids should be submitted to the PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling.

Department: Historical and Museum Commission
Location: Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: March 1, 2000 to October 31, 2000
Contact: Judi Yingling, (717) 772-2401

00677-003-98-AS-3 (Rebid) Provide services for the replacement of jams and thresholds at the Bake & Brew House at the Manor House at Pennsbury Manor, Morrisville, PA in Bucks County. A site visit is highly suggested. Please contact the site to arrange a site visit. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401 or Fax (717) 783-1073.

Department: Historical and Museum Commission
Location: Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: March 1, 2000 to October 31, 2000
Contact: Judi Yingling, (717) 772-2401

00677-002-97-AS-2 (Rebid) Provide services for carpentry repairs and window glass replacement at the Manor House at Pennsbury Manor, Morrisville, PA in Bucks County. A site visit is highly suggested. Please contact the site to arrange a site visit. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Sts., Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401 or Fax (717) 783-1073.

Department: Historical and Museum Commission
Location: Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: March 1, 2000 to October 31, 2000
Contact: Judi Yingling, (717) 772-2401

120r-030 Roadside mowing of all Department maintained roads in Greene County. All mowing will be performed according to contract specifications.

Department: Transportation
Location: Greene County
Duration: This will be a one year contract with an option for five 2 year renewal periods.
Contact: Michael D. Maurer, (724) 439-7374

Bid #8008 Snow removal, salting and cindering from parking areas and driveway, and snow removal from sidewalks, as required at the Philadelphia Liquor Control Enforcement facility. Services to be rendered November 1, 1999 to June 30, 2001. Estimated snow removal hours and tonnage of salting/cindering needed. On as needed basis only.

Department: State Police
Location: Philadelphia Liquor Control Enforcement, 6901 Woodland Avenue, Philadelphia, PA 19142
Duration: November 1, 1999 to June 30, 2001
Contact: Donna Enders, (717) 783-5484

177991 Furnish and install freezer doors in warehouse at Warren State Hospital. Complete specifications may be obtained by contacting the Hospital. Award will be made on an aggregate basis.

Department: Public Welfare
Location: Warren State Hospital, 33 Main Drive, N. Warren, PA 16365-5099
Duration: Anticipated contract period: 02/15/00 through 06/30/00
Contact: Bobbi Muntz, Purchasing Agent, (814) 726-4496

Real Estate Services—35

120002 Title Search and Settlement Services provided by a Bonded Title Company or Attorney on a fixed fee per parcel basis by County located primarily in District 12, (Fayette, Greene, Washington, and Westmoreland). Services to be performed as required and in accordance with the Department of Transportation's Right of Way Manual on Department forms and templates. To include such services as: Title Abstract back 40 years with narrative, Bring Downs to closing date, copies of all recorded instruments submitted using CD Medium, Secure Releases, Coordinate Settlements/Distribution Funds at various locations, recording of necessary documents, and other related closing activities.

Department: Transportation
Location: Transportation, PennDOT, District 12-0 Right of Way Unit
Duration: 1 year contract with 2 1-year renewals
Contact: Daniel K. Bucan—Chief Acquisition, (724) 439-7146

373883 Lease Office Space to the Commonwealth of Pennsylvania, Department of Revenue with 2,738 useable sq. ft. of new or existing office space with minimum parking for seven vehicles, within the city limits of Sunbury, Northumberland County, PA. The Department of Revenue will occupy the space. Proposals due: January 3, 2000
 Solicitation No: 92933

Department: Revenue
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Jennings Ward, (717) 787-7412

373883 Sale of Commonwealth Owned Real Estate—Johnston's Tavern. The Department of General Services will sell Johnston's Tavern, consisting of the Tavern and Garage on 17.19 acres of land, by sealed bid. For more information or to request a bid packet call (717) 783-0228 or fax (717) 783-7127. Solicitation No: 122

Department: General Services
Location: 500 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Stephen Squibb, (717) 783-0228

Sanitation—36

SP1192509001 Contractor to provide handling, collection, disposal of solid waste and monthly rental of 2 cubic yard stationary compactor unit. Maintenance of the compactor to be provided by the hauler and included in the monthly rental cost. To obtain a copy of the service/bid contract proposal and bid specifications, call the contact person listed.

Department: Corrections
Location: Correctional Industries S.C.I. Dallas, Drawer K, Follies Rd., Dallas, PA 18612-0286
Duration: Estimated 41 months with an anticipated start date of February 1, 2000
Contact: Angela M. Corish, (717) 731-7134

00780021 The contractor agrees to furnish White Haven Center with handling, collecting and disposal of refuse such as general trash, glass, mattresses and anything of refuse nature that could accumulate at the Center.

Department: Public Welfare
Location: White Haven Center
Duration: July 1, 2000 to June 30, 2005
Contact: Sandra A. Repak, Purchasing Agent, (570) 443-4232

99-806 The contractor shall provide garbage and trash removal services for the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, 2500 Lisburn Rd., P. O. Box 8837, Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Vehicle, Heavy Equipment—38

00972017 State inspection and emission testing for all vehicles in Mayview State Hospital's automotive fleet. Required repairs to vehicles to pass inspection will be done at Mayview State Hospital, Transportation Department. Vendors can fax their requests for a bid to Purchasing at Mayview State Hospital at (412) 257-6761, include complete company name, address, phone, fax, contact person, Federal Identification Number or call the contact person and number listed elsewhere on this advertisement.

Department: Public Welfare
Location: Mayview State Hospital, Transportation Department, 1601 Mayview Rd., Bridgeville, PA 15017-1599
Duration: 07/01/00 through 06/30/03
Contact: Frederick R. Molisee, (412) 257-6215

Miscellaneous—39

SCID Refuse Removal Contractor shall provide a trash compactor and 2 dumpsters for refuse removal. Complete bid package available upon request.

Department: Corrections
Location: State Correctional Institution, Follies Rd., Dallas, PA 18612
Duration: March 1, 2000 to June 30, 2003 (40 months)
Contact: Joseph Frederick, (570) 675-1101, Ext. 317

Inq. #00671017 Provide service of piano tuning and repairs, including complete re-building of piano actions as necessary. Pianos are located in various buildings at N.S.H.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: July 01, 2000 through June 30, 2002
Contact: Sue Brown, Purchasing, (610) 313-1026

B0000238 Millersville University is seeking bidders who can provide the University with a three-component broadband seismometer, three-channel digitizer module, and GPS satellite time receiver antenna with cable. Vendor shall also provide a four-port computer board and input box, short-haul modems, and data acquisition/data analysis software. Documentation and technical support are also requirements. Interested bidders should fax their requests to be placed on a bidders list to Anna Stauffer Fax: (717) 871-2000 no later than 2 p.m. Friday, December 10, 1999.

Department: State System of Higher Education
Location: Millersville University, Millersville, PA 17551
Duration: 1/1/00—1/30/00
Contact: Anna Stauffer, (717) 872-3041

CRE-0257 The Contractor shall provide Chaplaincy Services to inmates of the Muslim faith at the State Correctional Institution at Cresson. Twenty hours of service to be provided weekly to a Muslim population of approximately 151. A Request for Proposal will be utilized in seeking qualified individuals to provide services as requested. Request for proposal on file in agency purchasing department.

Department: Corrections
Location: Commonwealth of Pennsylvania, Department of Corrections, State Correctional Institution at Cresson, P. O. Box A, Old Rt. 22, Cresson, PA 16630

Duration: Anticipated: February 15, 2000—June 30, 2002
Contact: Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, Ext. 166

1040-001 PA Department of Transportation in Indiana, PA is seeking a contractor to pick-up and dispose of dead deer on State Routes 22, 56, 119, 286 and 422 in Indiana County. Contractor must have approved dumping site and provide the Department with records showing proper disposal of deer. Contractor must also have the required insurance. This contract will run for 14 months with the option for renewals.

Department: Transportation
Location: State Routes 22, 56, 119, 286 and 422 in Indiana County
Duration: 02-01-2000 to 04-30-2001
Contact: Tom Betzold, (724) 357-2813

IFB #99-004 Training course for the Department of the Auditor General relative to auditing and reporting performance results through theory and application. All requests for copies of the bid must be in writing and faxed to Andrea Quigley at (717) 787-2518.

Department: Auditor General
Location: Harrisburg and Pittsburgh
Duration: 01/01/2000 through 06/30/2000
Contact: Andrea Quigley, (717) 787-4993

87SIGN Manufacture of Special Highway Road Signs.

Department: Transportation
Location: PA Department of Transportation, 2105 Lincoln Highway East, Lancaster, PA 17602
Duration: One Time Purchase
Contact: Jeralyn L. Rettew, (717) 299-7621, Ext. 322

[Pa.B. Doc. No. 99-2078. Filed for public inspection December 3, 1999, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
6810-01 Re-bid	11/19/99	Tetra Chemicals	485,658.00
6810-01 Re-bid	11/19/99	IMUS Inc.	285,191.00
6810-01 Re-bid	11/19/99	Ice Ban America Inc.	208,763.25
6810-01 Re-bid	11/19/99	JMG Enterprises Inc.	159,412.50
9120-03	11/19/99	AGF Direct Gas Sales & Servicing Inc.	869,467.13
9120-03	11/19/99	Columbia Energy Services Corp.	188,657.20
9120-03	11/19/99	Mid-American Natural Resources Inc.	425,999.98
9120-03	11/19/99	Texas Liquids LLC	537,463.67
9120-03	11/19/99	UGI Energy Services Inc.	167,952.68
9985-05	11/18/99	Achieve Global Inc.	50,000.00
9985-05	11/18/99	Arbor Inc.	50,000.00
9985-05	11/18/99	Development Dimensions International	50,000.00
9985-05	11/18/99	Dering Consulting Inc.	50,000.00
9985-05	11/18/99	Dale L. Cross d/b/a Edge Learning Institute of Central PA	50,000.00
9985-05	11/18/99	Excellence Resources Inc.	50,000.00
9985-05	11/18/99	George R. Earhart	50,000.00
9985-05	11/18/99	Sumanthi Ravindraraj d/b/a Global Quality & Engineering Consulting	50,000.00

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
9985-05	11/18/99	Johnson & Johnson Associates Inc.	50,000.00
9985-05	11/18/99	Jennifer Jordan d/b/a Jordan Smith Co.	50,000.00
9985-05	11/18/99	PA State University/ Middletown	50,000.00
9985-05	11/18/99	Pinnacle Group International Inc.	50,000.00
9985-05	11/18/99	Antoinette B. Meiser d/b/a Productivity & Quality Consulting	50,000.00
9985-05	11/18/99	Pricewaterhouse Coopers LLP	50,000.00
9985-05	11/18/99	Raymond J. Terwilliger Assoc.	50,000.00
9985-05	11/18/99	Sterling Institute Inc.	50,000.00
9985-05	11/18/99	Gary M. Svetz d/b/a Svetz Consulting Services	50,000.00
9985-05	11/18/99	Take Charge Consultants Inc.	50,000.00
9985-05	11/18/99	Elizabeth J. Weber d/b/a Weber Business Services	50,000.00
1137209-01	11/23/99	E M Eby Inc.	34,628.00
1150049-01	11/23/99	Shirn's Pontiac—GMC Inc.	29,510.00
1706118-01	11/23/99	Raytex Fabrics Inc.	52,400.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-2079. Filed for public inspection December 3, 1999, 9:00 a.m.]

